

AFFIRMED; Opinion Filed October 20, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-14-00193-CR

PATRICIA ANN SMITH, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 363rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F13-49176-W**

MEMORANDUM OPINION

Before Justices Bridges, Lang, and Evans
Opinion by Justice Lang

Patricia Ann Smith waived a jury and pleaded guilty to obtaining a controlled substance, dihydrocodeinone, by fraud. *See* TEX. HEALTH & SAFETY CODE ANN. § 481.129(a-1), (d-1)(2) (West Supp. 2014). The trial court assessed punishment at ten years' imprisonment. On appeal, appellant's attorney filed a brief in which he concludes the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). The brief presents a professional evaluation of the record showing why, in effect, there are no arguable grounds to advance. *See High v. State*, 573 S.W.2d 807, 811–12 (Tex. Crim. App. [Panel Op.] 1978). Counsel delivered a copy of the brief to appellant. We advised appellant of

her right to file a pro se response, but she did not file a pro se response. *See Kelly v. State*, 436 S.W.3d 313, 319–21 (Tex. Crim. App. 2014) (identifying duties of appellate courts and counsel in *Anders* cases).

We have reviewed the record and counsel’s brief. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005) (explaining appellate court’s duty in *Anders* cases). We agree the appeal is frivolous and without merit. We find nothing in the record that might arguably support the appeal.

We affirm the trial court’s judgment.

/ Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

Do Not Publish
TEX. R. APP. P. 47
140193F.U05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

PATRICIA ANN SMITH, Appellant

No. 05-14-00193-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 363rd Judicial District
Court of Dallas County, Texas (Tr.Ct.No.
F13-49176-W).

Opinion delivered by Justice Lang, Justices
Bridges and Evans participating.

Based on the Court's opinion of this date, the trial court's judgment is **AFFIRMED**.

Judgment entered October 20, 2014.