

Affirmed; Opinion Filed May 12, 2016.



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

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No. 05-15-00969-CR

No. 05-15-00972-CR

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**PHYLLIS RENAY BURNS, Appellant**  
**V.**  
**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 194th Judicial District Court**  
**Dallas County, Texas**  
**Trial Court Cause Nos. F15-52149-M, F15-54887-M**

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**MEMORANDUM OPINION**

Before Chief Justice Wright, Justice Bridges, and Justice Lang  
Opinion by Justice Lang

A grand jury indicted Phyllis Renay Burns, appellant, for assault on a public servant and retaliation. Appellant entered an open plea of guilty and judicially confessed to both charges. The trial court sentenced her to four years' imprisonment in each case. Appellant filed a motion for new trial in both cases. The trial court denied both motions. Appellant timely appealed.

On appeal, appellant's counsel filed a motion to withdraw as counsel accompanied by a brief in which she cites *Anders v. California*, 386 U.S. 738 (1967), and concludes the record contains no reversible error to raise any arguable issues for appeal. The brief presents a professional evaluation of the record showing there are no arguable grounds to advance. *See High v. State*, 573 S.W.2d 807, 811 (Tex. Crim. App. [Panel Op.] 1978). Counsel delivered a copy of the brief

to the appellant. We advised appellant of her right to file a pro se response. However, appellant did not file a pro se response.

“When an Anders brief is filed, our duty is to determine whether there are any arguable grounds for reversal, and if so, to remand the case to the trial court for the appointment of new counsel to address the issues.” *In Interest of Ka.D.*, No. 05-15-01185-CV, 2015 WL 9481441, at \*1 (Tex. App.–Dallas Dec. 29, 2015, no pet.) (citing *Beldsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005)).

We have reviewed the entire record and the *Anders* brief. *See id.* We agree there is no arguable ground for reversal in the record and the appeal is frivolous and without merit. *See Beldsoe*, 178 S.W.3d at 827. Accordingly, we affirm the trial court’s conviction of appellant for assault on a public servant and for retaliation.

We grant counsel’s motion to withdraw and affirm the trial court’s judgment.

/Douglas S. Lang/  
DOUGLAS S. LANG  
JUSTICE

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TEX. R. APP. P. 47.2(b)  
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**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

PHYLLIS RENAY BURNS, Appellant

No. 05-15-00969-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 194th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause Nos. F15-52149-M  
Opinion delivered by Justice Lang. Chief  
Justice Wright and Justice Bridges  
participating.

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

Judgment entered this 12th day of May, 2016.



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

**JUDGMENT**

PHYLLIS RENAY BURNS, Appellant

No. 05-15-00972-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 194th Judicial District  
Court, Dallas County, Texas  
Trial Court Cause No. F15-54887-M  
Opinion delivered by Justice Lang. Chief  
Justice Wright and Justice Bridges  
participating.

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

Judgment entered this 12th day of May, 2016.