

Affirmed as Modified and Opinion Filed March 16, 2017



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

No. 05-16-00028-CR

**STACEE WOFFORD, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 363rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F15-52420-W**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Myers, and Justice Brown
Opinion by Chief Justice Wright

Stacee Wofford pleaded guilty before a jury for the offense of aggravated robbery with a deadly weapon, a firearm. After finding appellant guilty, the jury assessed punishment at twenty-five 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 his right to file a pro se response, but he 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.

Although not an arguable issue, we note several errors in the trial court’s judgment. The judgment incorrectly states the offense for which appellant was convicted is “aggravated robbery,” with no designation of a deadly weapon. The judgment also incorrectly states the plea to the offense is “not guilty.” Appellant was indicted for the offense of aggravated robbery with a deadly weapon, a firearm. Appellant pleaded guilty before a jury to the charges in the indictment, and the jury found appellant guilty of “aggravated robbery, as charged in the indictment.” Accordingly, on our own motion, we modify the judgment to show the offense for which appellant was convicted is “aggravated robbery with a deadly weapon,” add that the “findings on deadly weapon” is “yes, a firearm,” and show the plea to the offense is “guilty”. *See* TEX. R. APP. P. 43.2(b), *Bigley v. State*, 865 S.W.2d 26, 27–28 (Tex. Crim. App. 1993); *Asberry v. State*, 813 S.W.2d 526, 529–30 (Tex. App.—Dallas 1991, pet. ref’d).

As modified, we affirm the trial court’s judgment.

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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TEX. R. APP. P. 47
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

STACEE WOFFORD, Appellant

No. 05-16-00028-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 363rd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F15-52420-W.

Opinion delivered by Chief Justice Wright.

Justices Myers and Brown participating.

Based on the Court's opinion of this date, the judgment of the trial court is **MODIFIED** as follows:

The section entitled "Offense for which Defendant Convicted" is modified to show "Aggravated Robbery w/deadly weapon."

Add the section "Finding on Deadly Weapon: Yes, Firearm."

The section entitled "Plea to Offense" is modified to show "Guilty."

As modified, we **AFFIRM** the trial court's judgment.

Judgment entered March 16, 2017.