

MODIFY and AFFIRM; and Opinion Filed September 28, 2017.



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

No. 05-16-01320-CR

**DEDREK SHANIEL ROBINSON, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the Criminal District Court No. 3
Dallas County, Texas
Trial Court Cause No. F14-14233-J**

MEMORANDUM OPINION

Before Justices Bridges, Fillmore, and Stoddart
Opinion by Justice Fillmore

Dedrek Shaniel Robinson waived a jury and pleaded not guilty before the trial court to the charged offense of sexual assault of a child. The trial court found appellant guilty of the lesser-included offense of indecency with a child by contact. During the punishment phase, appellant pleaded true to one enhancement paragraph contained in the indictment. The trial court found the enhancement paragraph true and assessed punishment at ten years' imprisonment. On appeal, appellant's attorney filed a brief in which she 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) (noting appellant has right to file pro se response to *Anders* brief filed by counsel).

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 the trial court’s judgment contains an error. Appellant was convicted of indecency with a child by contact, an offense that is subject to the sex offender registration requirements of Chapter 62 of the code of criminal procedure. *See* TEX. CODE CRIM. PROC. ANN. art. 62.001(5)(A) (West Supp. 2016). The judgment erroneously states the sex offender registration requirements do not apply and that the age of the victim at the time of the offense is “N/A.”¹ On our own motion, we modify the judgment to show that sex offender registration requirements apply and the victim’s age was fourteen years at the time of the offense. *See* TEX. CODE CRIM. PROC. ANN. art. 62.051 (West Supp. 2016); 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.

/Robert M. Fillmore/
ROBERT M. FILLMORE
JUSTICE

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TEX. R. APP. P. 47

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¹ During the trial, the complainant testified she was seventeen years of age, but that the abuse began when she was twelve years of age and she was fourteen years of age at the time of the charged offense.



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

JUDGMENT

DEDREK SHANIEL ROBINSON,
Appellant

No. 05-16-01320-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
No. 3, Dallas County, Texas
Trial Court Cause No. F14-14233-J.
Opinion delivered by Justice Fillmore.
Justices Bridges and Stoddart participating.

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

The section entitled "Sex Offender Registration Requirements" is modified to show "Sex Offender Registration Requirements apply to the Defendant. The age of the victim at the time of the offense was 14 years."

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

Judgment entered this 28th day of September, 2017.