

AFFIRM; and Opinion Filed January 26, 2018.



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

No. 05-17-00641-CR

**BRUCE EDWARD BINGHAM, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 439th Judicial District Court
Rockwall County, Texas
Trial Court Cause No. 2-16-057**

MEMORANDUM OPINION

Before Justices Bridges, Myers, and Schenck
Opinion by Justice Schenck

A jury convicted Bruce Edward Bingham of intoxication manslaughter with a deadly weapon, a motor vehicle. During the punishment phase, appellant pleaded true to one enhancement paragraph. The jury found the enhancement paragraph true and assessed punishment at sixty years' imprisonment and a \$2,000 fine. 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, 812 (Tex. Crim. App. [Panel Op.] 1978) (determining whether brief meets requirements of *Anders*). Counsel delivered a copy of the brief to appellant. *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).

Appellant filed a pro se response raising several issues. After reviewing counsel’s brief, appellant’s pro se response, and the record, we agree the appeal is frivolous and without merit. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005) (explaining appellate court’s duty in *Anders* cases). We find nothing in the record that might arguably support the appeal.

We affirm the trial court’s judgment.

/David J. Schenck/
DAVID J. SCHENCK
JUSTICE

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TEX. R. APP. P. 47

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

JUDGMENT

BRUCE EDWARD BINGHAM, Appellant

No. 05-17-00641-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 439th Judicial District
Court, Rockwall County, Texas

Trial Court Cause No. 2-16-057.

Opinion delivered by Justice Schenck.

Justices Bridges and Myers participating.

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

Judgment entered this 26th day of January, 2018.