

Affirmed and Opinion Filed March 2, 2018



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

No. 05-17-00790-CR

**CHRISTOPHER SCOTT COLLINS, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 382nd Judicial District Court
Rockwall County, Texas
Trial Court Cause No. 2-16-026**

MEMORANDUM OPINION

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

Christopher Scott Collins waived a jury trial and pleaded not guilty before the trial court to aggravated assault with a deadly weapon, a knife. After the trial court found appellant guilty, appellant pleaded true to one enhancement paragraph. The trial court found the enhancement paragraph true and assessed punishment at nine years' imprisonment and a \$2,500 fine. On appeal, appellant's attorney filed a brief stating that 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. 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, counsel contends in her brief that the trial court’s judgment should be modified to reflect a back-time credit of 559 days rather than the 528 days recited in the judgment. We note, however, that there is nothing in the record that supports this claim or that gives any details on the dates that appellant remained in jail pending the outcome of this case. Thus, we decline counsel’s request to modify the trial court’s judgment.

We affirm the trial court’s judgment.

/Bill Whitehill/

BILL WHITEHILL
JUSTICE

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

JUDGMENT

CHRISTOPHER SCOTT COLLINS,
Appellant

No. 05-17-00790-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 382nd Judicial District
Court, Rockwall County, Texas
Trial Court Cause No. 2-16-026.
Opinion delivered by Justice Whitehill.
Justices Bridges and Evans participating.

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

Judgment entered March 2, 2018.