

Affirmed; Opinion Filed February 5, 2018.



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

No. 05-17-00815-CR

**MATTHEW ST. CLAIR, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 271st District Court
Wise County, Texas
Trial Court Cause No. CR18377**

MEMORANDUM OPINION

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

Matthew St. Clair waived a jury trial and pleaded guilty to two counts of aggravated sexual assault of a child younger than fourteen years. After finding appellant guilty of both counts, the trial court assessed punishment at twelve years' imprisonment for each count, to run concurrently. Although originally filed in the Second Court of Appeals, the appeal was transferred to this Court on July 14, 2017 by the Texas Supreme Court pursuant to a docket equalization order. TEX. GOV. CODE ANN. § 73.001 (West 2013).

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, 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.

We affirm the trial court’s judgment.

/Lana Myers/
LANA MYERS
JUSTICE

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

JUDGMENT

MATTHEW ST. CLAIR, Appellant

No. 05-17-00815-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 271st District Court,
Wise County, Texas

Trial Court Cause No. CR18377.

Opinion delivered by Justice Myers.

Justices Bridges and Schenck participating.

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

Judgment entered this 5th day of February, 2018.