

AFFIRM; and Opinion Filed September 26, 2018.



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

No. 05-18-00195-CR

No. 05-18-00196-CR

CODY WARDEN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the County Criminal Court No. 11
Dallas County, Texas
Trial Court Cause Nos. MA-1704576-N, MA-1761228-N**

MEMORANDUM OPINION

Before Justices Lang, Fillmore, and Schenck
Opinion by Justice Fillmore

Appellant Cody Warden waived a jury trial and pleaded guilty to assault causing bodily injury and violation of a protective order. Pursuant to plea agreements, the trial court sentenced appellant to 365 days in the county jail, probated for twenty months in each case. The trial court also assessed a \$200 fine in the violation of protective order case. The State later moved to revoke appellant's community supervision alleging appellant violated several conditions of his community supervision. Appellant pleaded true to the allegations in a hearing on the motions. The trial court granted the State's motions, revoked appellant's community supervision, and assessed punishment at 365 days in the county jail in each case.

On appeal, appellant's attorney filed briefs in which he concludes the appeals are wholly frivolous and without merit. The briefs meet the requirements of *Anders v. California*, 386 U.S.

738 (1967). The briefs present 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 briefs 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 briefs. *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 appeals are frivolous and without merit. We find nothing in the record that might arguably support the appeals.

We affirm the trial court’s judgments.

/Robert M. Fillmore/
ROBERT M. FILLMORE
JUSTICE

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TEX. R. APP. P. 47

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**Court of Appeals
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JUDGMENT

CODY WARDEN, Appellant

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Opinion delivered by Justice Fillmore.

Justices Lang and Schenck participating.

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

Judgment entered this 26th day of September, 2018.



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