

**AFFIRMED and Opinion Filed November 4, 2020**



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

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**No. 05-19-00657-CR**

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**LISA NICHOLE OPPENHAMMER, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court No. 4  
Dallas County, Texas  
Trial Court Cause No. F-1900140-K**

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**MEMORANDUM OPINION**

Before Justices Whitehill, Pedersen, III, and Reichek  
Opinion by Justice Whitehill

Appellant pled guilty and was subsequently convicted of manslaughter. Following appellant's plea of true to enhancements, the court sentenced her to twenty years imprisonment.

Appellant's counsel has filed a motion to withdraw. The motion is supported by a brief in which counsel professionally and conscientiously examines the record and applicable law and concludes that this appeal is frivolous and without merit.

Upon initial review of counsel's brief and motion, we noted that certain exhibits were not included in the record and ordered that the record be supplemented.

The court reporter complied, and counsel filed a supplemental brief stating that after reviewing the supplemental record with the exhibits, counsel is still of the opinion that the appeal is frivolous and there are no arguable issues to present. (Counsel's brief and supplemental brief are referred to as the brief).

Counsel has provided appellant with a copy of the brief and the motion to withdraw. 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*). We advised appellant of her right to 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). Appellant responded but, after reviewing that brief and the record, we conclude that her pro se brief presents no arguable grounds to advance.

We have also 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.<sup>1</sup> We find nothing in the record that might arguably support the appeal.

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<sup>1</sup> Counsel's brief states that "since the sentence assessed . . . was within the range provided by law, the sentence is not subject to appeal." While we do not agree with this statement, we agree that there is no basis to challenge the sentence on this record.

We therefore grant counsel's motion to withdraw and affirm the trial court's judgment.

/Bill Whitehill/  
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BILL WHITEHILL  
JUSTICE

Do Not Publish  
TEX. R. APP. P. 47.2(b)  
190657F.U05



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

JUDGMENT

LISA NICHOLE OPPENHAMMER,  
Appellant

No. 05-19-00657-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 4, Dallas County, Texas  
Trial Court Cause No. F19-00140-K.  
Opinion delivered by Justice  
Whitehill. Justices Pedersen, III and  
Reichek participating.

Based on the Court's opinion of this date, the judgment of the trial court is **AFFIRMED** and counsel's motion to withdraw is **GRANTED**.

Judgment entered November 4, 2020