

Opinion issued August 28, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-07-00392-CR

KENNETH EUGENE HARRIS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 339th District Court
Harris County, Texas
Trial Court Cause No. 1035080**

MEMORANDUM OPINION

A jury found appellant, Kenneth Eugene Harris, guilty of the offense of failure

to stop and render aid¹ and assessed his punishment at confinement for five years.

Appellant's counsel on appeal has filed a brief stating that the record presents no reversible error and that the appeal is without merit and is frivolous. *See Anders v. California*, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967). The brief meets the requirements of *Anders* by presenting a professional evaluation of the record and detailing why there are no arguable grounds for reversal. *Id.*; *see also High v. State*, 573 S.W.2d 807, 810 (Tex. Crim. App. [Panel Op.] 1978). The brief also reflects that counsel delivered a copy of the brief to appellant and advised appellant of his right to file a pro se response. *See Stafford v. State*, 813 S.W.2d 503, 510 (Tex. Crim. App. 1991). More than thirty days have passed, and appellant has not filed a pro se response.

Having reviewed the record and counsel's brief, we agree that the appeal is frivolous and without merit and that there is no reversible error. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

We affirm the judgment of the trial court. We grant counsel's motion to withdraw.² *See Stephens v. State*, 35 S.W.3d 770, 771–72 (Tex. App.—Houston [1st

¹ *See* TEX. TRANSP. CODE ANN. § 550.021 (Vernon Supp. 2008).

² Appointed counsel still has a duty to inform appellant of the result of this appeal and that he may, on his own, pursue discretionary review in the Texas Court of Criminal Appeals. *See Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005); *Downs*

Dist.] 2000, no pet.) (per curiam).

Terry Jennings
Justice

Panel consists of Chief Justice Radack and Justices Jennings and Bland.

Do not publish. TEX. R. APP. P. 47.2(b).

v. State, 137 S.W.3d 837, 842 n.2 (Tex. App.—Houston [1st Dist.] 2004, pet. ref'd).