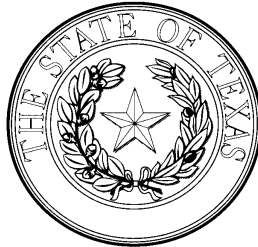


Opinion issued August 16, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-15-00672-CR

NO. 01-15-00673-CR

NO. 01-15-00674-CR

ALTON JOSEPH JOLIVETTE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 184th District Court
Harris County, Texas
Trial Court Case Nos. 1428510, 1428512, 1428708**

MEMORANDUM OPINION

Appellant, Alton Joseph Jolivette, was found guilty by a jury of the offenses of burglary of a habitation (trial court cause no. 1428708), evading arrest or detention using a vehicle (trial court cause no. 1428510), and unlawful possession of a firearm

by a felon (trial court cause no. 1428512).¹ Appellant pleaded true to enhancement paragraphs in the indictments for burglary of a habitation and evading arrest. The trial court assessed punishment at 45 years' incarceration for the offense of burglary of a habitation, 20 years' incarceration for the offense of evading arrest, and 10 years' incarceration for the offense of unlawful possession of a firearm, with the sentences to run concurrently. Appellant timely filed a notice of appeal in each of the underlying cases.

Appellant's appointed counsel on appeal has filed a motion to withdraw, along with a brief stating that the record presents no reversible error and the appeals are without merit and are frivolous. *See Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396 (1967). Counsel's brief meets the *Anders* requirements by presenting a professional evaluation of the record and supplying us with references to the record and legal authority. *See Anders*, 386 U.S. at 744, 87 S. Ct. at 1400; *see also High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. 1978). Counsel indicates that she has thoroughly reviewed the record and is unable to advance any grounds of error that warrant reversal. *See Anders*, 386 U.S. at 744, 87 S. Ct. at 1400; *Mitchell v. State*, 193 S.W.3d 153, 155 (Tex. App.—Houston [1st Dist.] 2006, no pet.).

¹ *See* TEX. PENAL CODE ANN. §§ 30.02 (burglary of habitation) (West 2011); 38.04(a), (b) (evading arrest or detention using a vehicle) (West Supp. 2015); 46.04(a) (unlawful possession of firearm by felon) (West 2011).

We have independently reviewed the entire record in these appeals, and we conclude that no reversible error exists in the record, there are no arguable grounds for review, and the appeals are frivolous. *See Anders*, 386 U.S. at 744, 87 S. Ct. at 1400 (emphasizing that reviewing court—and not counsel—determines, after full examination of proceedings, whether appeal is wholly frivolous); *Garner v. State*, 300 S.W.3d 763, 767 (Tex. Crim. App. 2009) (reviewing court must determine whether arguable grounds for review exist); *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005) (same); *Mitchell*, 193 S.W.3d at 155 (reviewing court determines whether arguable grounds exist by reviewing entire record). We note that an appellant may challenge a holding that there are no arguable grounds for appeal by filing a petition for discretionary review in the Texas Court of Criminal Appeals. *See Bledsoe*, 178 S.W.3d at 827 & n.6.

We affirm the judgments of the trial court and grant counsel’s motion to withdraw. Appointed counsel still has a duty to inform appellant of the result of these appeals and that he may, on his own, pursue discretionary review in the Texas Court of Criminal Appeals. *See Ex Parte Wilson*, 956 S.W.2d 25, 27 (Tex. Crim. App. 1997). Attorney Melissa Martin must immediately send appellant the required notice and file a copy of the notice with the Clerk of this Court. *See* TEX. R. APP. P. 6.5(c).

PER CURIAM

Panel consists of Justices Higley, Bland, and Massengale.

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