

**Affirmed and Memorandum Opinion filed February 3, 2011.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-10-00647-CR**

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**ARSENIO RAY AUGUST, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 262nd District Court  
Harris County, Texas  
Trial Court Cause No. 1239147**

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**MEMORANDUM OPINION**

Appellant entered a plea of guilty to the offense of attempted burglary of a habitation. Pursuant to a plea bargain agreement a finding of guilt was deferred and he was placed on three years' deferred adjudication probation. On May 27, 2010, the State filed a motion to adjudicate appellant's guilt alleging he violated several conditions of probation. On July 13, 2010, the trial court sentenced appellant to confinement for eight years in the Institutional Division of the Texas Department of Criminal Justice and assessed a fine of \$300. Appellant filed a timely notice of appeal.

Appellant's appointed counsel filed a brief in which he concludes the appeal is wholly frivolous and without merit. The brief meets the requirement of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396 (1967), by presenting a professional evaluation of the record and demonstrating why there are no arguable grounds to be advanced. *See High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978).

A copy of counsel's brief was delivered to appellant. Appellant was advised of the right to examine the appellate record and file a pro se response. *See Stafford v. State*, 813 S.W.2d 503, 510 (Tex. Crim. App. 1991). As of this date, no pro se response has been filed.

We have carefully reviewed the record and counsel's brief and agree the appeal is wholly frivolous and without merit. Further, we find no reversible error in the record. We are not to address the merits of each claim raised in an *Anders* brief or a pro se response when we have determined there are no arguable grounds for review. *See Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005).

Accordingly, the judgment of the trial court is affirmed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Christopher and Jamison.

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