

Motion Granted, Affirmed and Memorandum Opinion filed November 19, 2013.



In The

Fourteenth Court of Appeals

NO. 14-13-00037-CR

CHARLES ROBERT WILLIAMS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 185th District Court
Harris County, Texas
Trial Court Cause No. 9406948**

M E M O R A N D U M O P I N I O N

Appellant filed a motion for post-conviction DNA testing in the trial court.¹ *See* Tex. Code Crim. Proc. ch. 64. The trial court granted the motion. After testing, on December 6, 2012, the trial court signed an order adopting findings that the test results were unfavorable to appellant and appellant failed to show that it is

¹ This court affirmed appellant's murder conviction on direct appeal. *See Williams v. State*, 964 S.W.2d 747 (Tex. App.—Houston [14th Dist.] 1998, pet. ref'd).

reasonably probable that he would not have been convicted if these new results had been available at trial. Appellant filed a timely notice of appeal, and the trial court certified appellant has the right to appeal.

Appellant's appointed counsel filed a brief in which she concludes the appeal is wholly frivolous and without merit. The brief meets the requirements 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, 812 (Tex. Crim. App. 1978). *Anders* procedures apply in appeals from orders in post-conviction DNA proceedings. See *Murphy v. State*, 111 S.W. 3d 846, 847–48 (Tex. App.—Dallas 2003, no pet.).

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, 512 (Tex. Crim. App. 1991). As of this date, more than sixty days have passed and 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 need not 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, we affirm the trial court's order and findings after DNA testing.

PER CURIAM

Panel consists of Justices McCally, Busby, and Wise.

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