

Affirmed and Memorandum Opinion filed November 19, 2015.



In The

Fourteenth Court of Appeals

NO. 14-14-00504-CR

LUCIOUS RAY JOHNSON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 176th District Court
Harris County, Texas
Trial Court Cause No. 263473**

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

Appellant Lucious Ray Johnson appeals from the trial court's denial of his motion for post-conviction DNA testing.¹ Appellant's appointed counsel filed a brief in which he concludes the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967), by

¹ See also *Johnson v. State*, No. 14-06-00317-CR, 2007 WL 925704 (Tex. App.—Houston [14th Dist.] Mar. 29, 2007)(mem. op.) (not designated for publication) (affirming trial court's denial of appellant's motion for post-conviction DNA testing).

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, 811–13 (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, 512 (Tex. Crim. App. 1991). As of this date, more than 60 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 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 Justices Jamison, McCally and Wise.
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