

**Affirmed as Reformed and Memorandum Opinion filed July 30, 2015.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00025-CR**

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**NATHAN HARRIS JONES, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Court at Law No. 6  
Travis County, Texas  
Trial Court Cause No. C-1-CR-14-200977**

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

Appellant appeals his conviction for driving while intoxicated. Appellant's appointed counsel filed a brief in which she concludes the appeal is wholly frivolous and without merit. The brief meets the requirement of *Anders v. California*, 386 U.S. 738 (1967), 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, 512 (Tex. Crim. App. 1991). At appellant's request, the record was provided to him. On April 30, 2015, appellant filed a pro se response to counsel's brief.

The judgment contains a clerical error. The record reflects appellant was sentenced to one year's confinement, probated for two years. The reporter's record and the docket sheet reflect that appellant was sentenced to 180 days' confinement, probated for two years. Accordingly, we reform the trial court's judgment to reflect a sentence of 180 days' confinement, probated for two years.

In an appeal in which counsel has filed an *Anders* brief, we are not required to abate the appeal for appointment of new counsel if the judgment may be reformed. *See Ferguson v. State*, 435 S.W.3d 291, 295 (Tex. App.—Waco 2014, no pet.) (reforming judgment in *Anders* appeal to correct age of child complainant); *Bray v. State*, 179 S.W.3d 725, 730 (Tex. App.—Fort Worth 2005, no pet.) (reforming judgment in *Anders* appeal to delete improper condition of parole); *see also Getts v. State*, 155 S.W.3d 153, 155 (Tex. Crim. App. 2005) (affirming court of appeals' judgment reforming the judgment of conviction in *Anders* appeal).

Having reformed the judgment, as noted above, and having carefully reviewed the record and counsel's brief, we agree the appeal is wholly frivolous and without merit. A discussion of the brief would add nothing to the jurisprudence of the state. 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 as reformed.

PER CURIAM

Panel consists of Justices Boyce, McCally, and Donovan.

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