

MEMORANDUM OPINION

No. 04-07-00613-CV

IN THE MATTER OF J.W.F.

From the 289th Judicial District Court, Bexar County, Texas
Trial Court No. 2006-JUV-02123-A
Honorable Carmen Kelsey, Judge Presiding

Opinion by: Rebecca Simmons, Justice

Sitting: Catherine Stone, Justice
Santee Bryan Marion, Justice
Rebecca Simmons, Justice

Delivered and Filed: April 9, 2008

AFFIRMED

On August 1, 2007, appellant entered a plea of true to two violations of his probation. As part of the plea, the State agreed to continue appellant's probation, but there was no agreement with regard to placement outside the home. The trial court sentenced appellant, in accordance with his plea agreement, to an eighteen-month extension of his probation and also placed appellant in the custody of the Chief Juvenile Probation Officer for purposes of long-term residential placement in a secure facility. On August 31, 2007, appellant filed his pro se notice of appeal.

Appellant's court-appointed attorney filed a brief containing a professional evaluation of the record in accordance with *Anders v. California*, 386 U.S. 738 (1967). Counsel concludes that the appeal is frivolous and without merit. Counsel provided appellant with a copy of the brief and informed him of his right to review the record and file his own brief. See *Nichols v. State*, 954 S.W.2d 83, 85-86 (Tex. App.—San Antonio 1997, no pet.); *Bruns v. State*, 924 S.W.2d 176, 178 n. 1 (Tex. App.—San Antonio 1996, no pet.). Appellant did not file a brief.

After reviewing the record and counsel's brief, we agree the appeal is frivolous and without merit. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005) (noting court of appeals should not address merits of issues raised in *Anders* brief or pro se response but only determine whether the appeal is frivolous). The judgment of the trial court is affirmed. Appellate counsel's motion to withdraw is granted. *Nichols*, 954 S.W.2d at 86; *Bruns*, 924 S.W.2d at 178 n. 1.

Rebecca Simmons, Justice