

*Court Of Appeals  
Fourth Court of Appeals District of Texas  
San Antonio*



**MEMORANDUM OPINION**

No. 04-08-00029-CV

In the **MATTER OF J.R.**

From the 289th Judicial District Court, Bexar County, Texas  
Trial Court No. 2005-JUV-01802  
Honorable Carmen Kelsey, Judge Presiding

Opinion by: Steven C. Hilbig, Justice

Sitting: Karen Angelini, Justice  
Rebecca Simmons, Justice  
Steven C. Hilbig, Justice

Delivered and Filed: December 3, 2008

**MOTION TO WITHDRAW GRANTED; AFFIRMED**

Pursuant to a plea bargain, J.R. pleaded true to the State's petition alleging he committed the offense of possession of cocaine, one to four grams. The trial court followed the plea agreement and placed J.R. on probation for twelve months in his mother's custody. The State subsequently filed four motions to modify disposition based on alleged violations of probation. With regard to the first three motions to modify, the trial court found the various allegations true and extended J.R.'s probation, but after the second motion ordered probation in the custody of the Chief Juvenile Probation Officer of Bexar County. J.R. subsequently pled true, without a plea agreement, to the allegations in the fourth motion to modify disposition, which is the subject of this appeal. The trial

court revoked J.R.'s probation and committed him to the Texas Youth Commission. J.R. filed a notice of appeal.

J.R.'s court-appointed appellate attorney filed a motion to withdraw and a brief in which she asserts there are no meritorious issues to raise on appeal. Counsel's brief meets the requirements of *Anders v. California*, 386 U.S. 738, (1967), *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978), and *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969). See *In re D.A.S.*, 973 S.W.2d 296, 297 (Tex. 1998) (*Anders* procedures apply to appeals from juvenile delinquency adjudications); *In re A.L.H.*, 974 S.W.2d 359, 360 (Tex. App.—San Antonio 1998, no pet.) (same). Counsel states she has provided the juvenile and his guardian copies of the brief and motion to withdraw and informed them of the juvenile's right to review the record and file his own brief. See *A.L.H.*, 974 S.W.2d at 360-61; *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, 177 n.1 (Tex. App.—San Antonio 1996, no pet.). No pro se brief has been filed.

After reviewing the record and counsel's brief, we find no reversible error and agree with counsel the appeal is wholly frivolous. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). We therefore grant the motion to withdraw filed by J.R.'s counsel and affirm the trial court's judgment. See *id.*; *Nichols*, 954 S.W.2d at 86; *Bruns*, 924 S.W.2d at 177 n.1.

Steven C. Hilbig, Justice

