



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00340-CV

IN THE MATTER OF K.F., a Juvenile

From the 289th Judicial District Court, Bexar County, Texas
Trial Court No. 2012-JUV-01564
Honorable Carmen Kelsey, Judge Presiding

Opinion by: Patricia O. Alvarez, Justice

Sitting: Marialyn Barnard, Justice
Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice

Delivered and Filed: June 18, 2014

AFFIRMED

Appellant K.F. was charged with delinquent conduct for committing aggravated sexual assault of a child on or about January 3, 2012. K.F. entered a plea of true to the allegation pursuant to a plea agreement with the State. Under such agreement, (1) K.F. entered a plea of true to count I of the State's First Amended Petition Alleging Delinquent Conduct, (2) the State abandoned the remaining counts in the petition and recommended probation, and (3) K.F. waived appeal. On May 20, 2013, the trial court found the allegations true and further found there was a need for disposition. Pursuant to the plea agreement, the trial court placed K.F. on probation and ordered him in the care, custody, and control of the Chief Juvenile Probation Officer of Bexar County, Texas until September 29, 2016, K.F.'s eighteenth birthday. The trial court signed the orders of adjudication and disposition on June 11, 2013. This appeal ensued.

K.F.'s court-appointed appellate attorney filed a motion to withdraw and a brief in which he asserts there are no meritorious issues to raise on appeal. TEX. R. APP. P. 44.2. The 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) (orig. proceeding) (*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 provided the juvenile and his mother copies of the brief and motion to withdraw; they were informed of the juvenile's right to file his own brief. *See In re A.L.H.*, 974 S.W.2d at 360–61. No pro se brief has been filed.

After reviewing the record and counsel's brief, we find no reversible error and agree with counsel that 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 K.F.'s counsel and affirm the trial court's orders. *See id.*; *Nichols v. State*, 954 S.W.2d 83, 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.).¹

Patricia O. Alvarez, Justice

¹ No substitute counsel will be appointed. Should K.F. wish to seek further review of this case by the Texas Supreme Court, he must either retain an attorney to file a petition for review or file a pro se petition for review. Any petition for review must be filed within forty-five days after either this opinion is rendered or the last timely motion for rehearing or motion for en banc reconsideration is overruled by this court. *See* TEX. R. APP. P. 53.7(a). Any petition for review must comply with the requirements of rule 53.2 of the Texas Rules of Appellate Procedure. *See id.* R. 53.2.