



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00624-CV

In the **MATTER OF K.B.**, a Juvenile

From the 25th Judicial District Court, Guadalupe County, Texas  
Trial Court No. J-11-193  
Honorable Linda Z. Jones, Judge Presiding

Opinion by: Luz Elena D. Chapa, Justice

Sitting: Karen Angelini, Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: April 9, 2014

**MOTION TO WITHDRAW GRANTED; AFFIRMED**

Appellant K.B. was charged with delinquent conduct for committing sexual assault of a child. K.B. pled true to the allegation pursuant to a plea agreement with the State, and in March 2012, the trial court placed K.B. on probation for a period of twenty-four months. In October 2012 and December 2012, the State filed motions to modify K.B.'s disposition because of alleged violations of the conditions of his probation. Both times K.B. pled true to the allegations and the trial court modified the conditions of his probation. After the State filed a third motion to modify, and K.B. again pled true to the State's allegations, the trial court ordered him committed to the care, custody, and control of the Texas Juvenile Justice Department. This appeal followed.

K.B.'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. 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) (*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 guardian copies of the brief and motion to withdraw and they were informed of the juvenile's right to file his own brief. See *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 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.B.'s counsel and affirm the trial court's Order Modifying Probation and Order of Commitment to the Texas Juvenile Justice Department. 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.).<sup>1</sup>

Luz Elena D. Chapa, Justice

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<sup>1</sup> No substitute counsel will be appointed. Should K.B. 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.