



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00035-CR

John Gabriel **SANCHEZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 186th Judicial District Court, Bexar County, Texas
Trial Court No. 2013CR10432
Honorable Jefferson Moore, Judge Presiding

Opinion by: Luz Elena D. Chapa, Justice

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Jason Pulliam, Justice

Delivered and Filed: October 5, 2016

MOTION TO WITHDRAW GRANTED; AFFIRMED

John Gabriel Sanchez pled no contest to a charge of evading arrest or detention in a vehicle and true to an enhancement allegation as part of a plea agreement with the State. Pursuant to the agreement, the trial court found Sanchez guilty, fined him \$1,500, and sentenced him to ten years in prison. The court suspended the sentence of confinement and placed Sanchez on community supervision for a period of ten years. The State later filed a motion to revoke Sanchez's community supervision, alleging he violated various conditions of his community supervision. Sanchez pled true to each of the allegations. After a hearing, the trial court found the allegations in the motion

to revoke to be true, revoked Sanchez's community supervision, and imposed a sentence of seven years in prison. Sanchez timely appealed.

Sanchez's court-appointed appellate attorney filed a motion to withdraw and a brief in which he concludes this appeal is frivolous and without merit. 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). Counsel sent copies of the brief and the motion to withdraw to Sanchez and informed him of his rights in compliance with the requirements of *Kelly v. State*, 436 S.W.3d 313 (2014). This court provided Sanchez with a copy of the appellate record and set a deadline for Sanchez to file a pro se brief. No pro se brief was filed.

After reviewing the record and counsel's brief, we find no reversible error and agree with counsel this 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 Sanchez's counsel and affirm the trial court's judgment. *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

Luz Elena D. Chapa, Justice

DO NOT PUBLISH

¹ No substitute counsel will be appointed. Should Sanchez wish to seek further review of this case by the Texas Court of Criminal Appeals, he must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty 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. 68.2. Any petition for discretionary review must comply with the requirements of rule 68.4 of the Texas Rules of Appellate Procedure and be filed with the clerk of the Court of Criminal Appeals. *See id.* R. 68.3, 68.4.