



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00494-CR

Richard A. CANTU, Jr.,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 81st Judicial District Court, Wilson County, Texas
Trial Court No. 17-11-293-CRW
Honorable Sid L. Harle, Judge Presiding¹

Opinion by: Beth Watkins, Justice

Sitting: Rebeca C. Martinez, Justice
Irene Rios, Justice
Beth Watkins, Justice

Delivered and Filed: July 8, 2020

MOTION TO WITHDRAW GRANTED; AFFIRMED

A jury convicted appellant Richard A. Cantu of aggravated assault with a deadly weapon, and the trial court sentenced him to fifteen years' confinement. Cantu appealed.

Cantu'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 the appeal has no merit. Counsel provided Cantu 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.

¹ Presiding Judge of the Fourth Administrative Judicial Region, sitting by assignment.

App.—San Antonio 1997, no writ); *Bruns v. State*, 924 S.W.2d 176, 177 n.1 (Tex. App.—San Antonio 1996, no writ). Cantu did not file a pro se brief.

After reviewing the record and briefs, we agree the appeal is frivolous and without merit. The judgment of the trial court is affirmed. Appellate counsel's request to withdraw is granted. *Nichols*, 954 S.W.2d at 86; *Bruns*, 924 S.W.2d at 177 n.1. No substitute counsel will be appointed. Should Cantu wish to seek further review of this case by the Texas Court of Criminal Appeals, Cantu must either retain an attorney to file a petition for discretionary review or Cantu must file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from the later of: (1) the date of this opinion; or (2) the date the last timely motion for rehearing is overruled by this court. *See* TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed in the Texas Court of Criminal Appeals. *See id.* R. 68.3. Any petition for discretionary review should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure. *See id.* R. 68.4.

Beth Watkins, Justice

DO NOT PUBLISH