

In The

Court of Appeals

Ninth District of Texas at Beaumont

NO. 09-08-074 CR

RICARDO DAVON GUIDRY, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 95536**

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Ricardo Davon Guidry pled guilty to delivery of a controlled substance in a drug-free zone. The trial court found Guidry guilty and assessed punishment at five years of confinement, then suspended imposition of sentence, placed Guidry on community supervision for seven years, and assessed a \$1,000 fine. On August 17, 2007, the State filed a motion to revoke Guidry's community supervision. Guidry pled "true" to two violations of the terms of the community supervision order. The trial court found that Guidry violated the terms of the community supervision

order, revoked Guidry's community supervision, and imposed a sentence of five years of confinement.

Guidry's appellate counsel filed a brief that presents counsel's professional evaluation of the record and concludes the appeal is frivolous. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). On June 19, 2008, we granted an extension of time for appellant to file a *pro se* brief. We received no response from the appellant.

We reviewed the appellate record, and we agree with counsel's conclusion that no arguable issues support an appeal. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.¹

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on September 24, 2008
Opinion Delivered October 8, 2008
Do Not Publish

Before McKeithen, C.J., Gaultney and Horton, JJ.

¹ Appellant may challenge our decision in this case by filing a petition for discretionary review. *See* TEX. R. APP. P. 68.