

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

---

**NO. 09-09-00339-CR**

---

**JACQUELINE BAILEY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

---

**On Appeal from the County Court  
Jasper County, Texas  
Trial Cause No. JC28604**

---

---

**MEMORANDUM OPINION**

A jury convicted Jacqueline Bailey<sup>1</sup> of deadly conduct. *See* Tex. Penal Code Ann. § 22.05(a) (West 2003). The trial court sentenced Bailey to ninety days in jail, suspended imposition of all but ten days of such sentence, placed Bailey on community supervision for two years, assessed a fine of \$1,000, and eighty hours of community service. Bailey’s appellate counsel filed an *Anders* brief. *See Anders v. California*, 386 U.S. 738, 87 S. Ct.

---

<sup>1</sup> Bailey is also known as “Jacqueline Bailey.”

1396, 18 L.Ed.2d 493 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). Counsel's brief presents his professional evaluation of the record that there are no arguable grounds to be advanced in this appeal. Counsel provided Bailey with a copy of this brief. In response, Bailey filed a *pro se* brief, essentially arguing that the evidence is factually and legally insufficient to support her conviction and that the authorities' conduct toward her violated her Fourth Amendment constitutional rights.

The appellate court need not address the merits of issues raised in *Anders* briefs or *pro se* responses. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). In these circumstances, the Court of Criminal Appeals has held that we may determine either: (1) that the appeal is wholly frivolous and issue an opinion explaining that the court has reviewed the record and finds no reversible error, or (2) that arguable grounds for appeal exist and remand the cause to the trial court so that new counsel may be appointed to brief the issues. *Id.*

We have independently reviewed the clerk's record and the reporter's record, the *Anders* brief, and the *pro se* response in this case, and we agree with Bailey's appellate counsel that no arguable issues support an appeal. *See id.* Therefore, we find it unnecessary to order appointment of new counsel to re-brief Bailey's appeal. *See id.*;

*compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.<sup>2</sup>

AFFIRMED.

---

CHARLES KREGER  
Justice

Submitted on March 30, 2011  
Opinion Delivered May 18, 2011  
Do not publish

Before Gaultney, Kreger, and Horton, JJ.

---

<sup>2</sup> Bailey may challenge our decision in this case by filing a petition for discretionary review. Tex. R. App. P. 68.