

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00366-CR

DONTAE DWAYNE HAL, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 09-06761

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Dontae Dwayne Hal pled guilty to burglary of a habitation. The trial court found the evidence sufficient to find Hal guilty, but deferred further proceedings, placed Hal on community supervision for five years, and assessed a fine of \$500. The State subsequently filed a motion to revoke Hal's unadjudicated community supervision. Hal pled "true" to two violations of the conditions of his community supervision. The trial court found that Hal violated the conditions of his community supervision, found Hal guilty of burglary of a habitation, and assessed punishment at twenty years of confinement.

Hal'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 September 30, 2010, we granted an extension of time for appellant to file a *pro se* brief. We received no response from 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.

DAVID GAULTNEY
Justice

Submitted on January 10, 2011
Opinion Delivered February 16, 2011
Do not publish

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

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