

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

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**NO. 09-11-00092-CR**

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**JACOBY GRIFFIN, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court**  
**Jefferson County, Texas**  
**Trial Cause No. 09-05886**

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**MEMORANDUM OPINION**

Appellant Jacoby Griffin was indicted for burglary of a habitation. Griffin pleaded guilty pursuant to a plea bargain agreement. The trial court found the evidence sufficient to find Griffin guilty, but deferred further proceedings, placed Griffin on community supervision for four years, and assessed a fine of \$500. The State subsequently filed a motion to revoke Griffin's unadjudicated community supervision. Griffin pleaded "true" to four of the alleged violations of the terms of his community supervision. The trial court found that Griffin violated the conditions of his community

supervision, found Griffin guilty of burglary of a habitation, and assessed punishment at eleven years of confinement. Griffin then filed this appeal.

Griffin'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). Griffin filed a *pro se* brief in response. The Court of Criminal Appeals has held that we 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). Rather, an appellate court may determine either: (1) "that the appeal is wholly frivolous and issue an opinion explaining that it 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 determined that this appeal is wholly frivolous. We have independently examined the clerk's record and the reporter's record, and we agree that no arguable issues support an appeal. *See id.* 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.<sup>1</sup>

AFFIRMED.

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

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STEVE McKEITHEN  
Chief Justice

Submitted on July 6, 2011  
Opinion Delivered July 13, 2011  
Do Not Publish

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