

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00197-CR

KELLI ANNE LINSCOMB, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 09-05764

MEMORANDUM OPINION

In carrying out a plea-bargain agreement, Kelli Anne Linscomb pled guilty to delivery of a controlled substance, a state jail felony. *See* Tex. Health & Safety Code Ann. § 481.112 (West 2010).¹ The trial court found Linscomb guilty, sentenced her to two years in state jail, suspended her sentence, placed her on community supervision for four years, and assessed a \$1,000 fine. The State subsequently filed a motion to revoke Linscomb’s community supervision. Linscomb pled “true” to one violation of her

¹Because the statute’s subsequent amendment does not affect the outcome of this appeal, we cite its current version.

community supervision. The trial court found that Linscomb violated the condition of her community supervision, revoked Linscomb's community supervision, and assessed punishment at eighteen months in state jail. Linscomb appealed.

Linscomb's appellate counsel filed a brief presenting counsel's professional evaluation of the record, and the brief filed on Linscomb's behalf concludes that her 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 16, 2011, we granted an extension of time for Linscomb to file a *pro se* brief. We received no response from Linscomb. 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 Linscomb's appeal. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.²

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on September 28, 2011
Opinion Delivered October 12, 2011
Do Not Publish

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

²Linscomb may challenge our decision in this case by filing a petition for discretionary review. *See Tex. R. App. P. 68.*