

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00225-CR

RAYMOND JAMES DANIEL, JR., Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 98556**

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Raymond James Daniel, Jr. pleaded guilty to possession of a controlled substance, namely marijuana. The trial court found the evidence sufficient to find Daniel guilty, but deferred further proceedings, placed Daniel on community supervision for three years, and assessed a fine of \$500. The State subsequently filed a motion to revoke Daniel's unadjudicated community supervision. Daniel pleaded "true" to two violations of the conditions of his community supervision. The trial court found that Daniel had violated the conditions of his

community supervision, revoked Daniel's unadjudicated probation, found Daniel guilty of possession of marijuana, and assessed punishment at two years of confinement in a state jail facility.

Daniel'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). 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 September 28, 2011
Opinion Delivered October 5, 2011
Do Not Publish

Before Gaultney, Kreger and Horton, JJ.

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