

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00233-CR

BRANDON LEE DUONG, Appellant

V.

STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 07-02222

MEMORANDUM OPINION

Appellant Brandon Lee Duong pleaded guilty to aggravated assault. The trial court found the evidence sufficient to find Duong guilty, but deferred further proceedings, placed Duong on community supervision for two years, and assessed a fine of \$500. After the State filed a motion to revoke, the trial court adjudicated his guilt. The trial court found that Duong had violated the conditions of his community supervision, revoked Duong's unadjudicated community supervision, found Duong guilty of aggravated assault, and assessed punishment at nineteen years in prison.

Duong’s appellate counsel filed a brief that presents counsel’s professional evaluation of the record and concludes there are no arguable points of error. *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). Duong filed a *pro se* response. The Court of Criminal Appeals has explained that an appellate court may determine in an *Anders* case 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.” *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). We reviewed the clerk’s record, the reporter’s record, and the *pro se* response, and we agree with counsel that no arguable issues support an appeal. *Id.* We find it unnecessary to order appointment of new counsel to re-brief the appeal. *See id.*; compare *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court’s judgment.

AFFIRMED.

DAVID GAULTNEY
Justice

Submitted on December 30, 2011
Opinion Delivered January 11, 2012
Do Not Publish

Before Gaultney, Kreger, and Horton, JJ.