

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-12-00375-CR

D’KEMAAN WEST, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 11-11038

MEMORANDUM OPINION

D’Kemaan West pleaded guilty, under a plea agreement, to aggravated robbery. The trial court placed him on deferred adjudication community supervision. He violated the terms and conditions of community supervision set by the court. The State filed a motion to revoke. The trial court revoked the community supervision, found him guilty of aggravated robbery, and sentenced him to twenty-five years in prison.

West'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). This Court granted an extension of time for appellant to file a pro se response. West filed a response.

After reviewing the clerk's record and the reporter's record, it is apparent that the trial court imposed a fine in the written judgment that it did not impose in the oral rendition of judgment. *See Taylor v. State*, 131 S.W.3d 497, 500, 502 (Tex. Crim. App. 2004) (When the oral pronouncement of sentence and the written judgment conflict, the oral pronouncement controls.). In response to this Court's inquiry, both the State and West agree that the \$1000.00 fine should be deleted from the written judgment. After reviewing the clerk's record, the reporter's record, the *Anders* brief, and the pro se response, we find no other arguable grounds for appeal. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991).

We modify the written judgment to delete the \$1,000 fine. As modified, the judgment is affirmed.

AFFIRMED AS MODIFIED.

DAVID GAULTNEY
Justice

Submitted on May 29, 2013
Opinion Delivered June 26, 2013
Do Not Publish

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