

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-14-00301-CR

JOSEPH BERNARD COOPER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 258th District Court
Polk County, Texas
Trial Cause No. 23233**

MEMORANDUM OPINION

A jury convicted Joseph Bernard Cooper of aggravated assault with a deadly weapon and assault causing bodily injury. The trial court found that Cooper had two prior felony convictions and sentenced Cooper to seventy-five years in prison for aggravated assault and six months in county jail for misdemeanor assault, to run concurrently. Cooper's appellate counsel filed a brief that presents counsel's professional evaluation of the record and concludes Cooper's appeal is frivolous.

See Anders v. California, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). Cooper filed a *pro se* brief in response.

The Texas 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, we may determine that: (1) “the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error”; or (2) “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 the appeal. 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.

STEVE McKEITHEN
Chief Justice

Submitted on July 21, 2015
Opinion Delivered August 12, 2015
Do Not Publish

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

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