

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-14-00423-CR

ALFRED LYNN GALLANDER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 253rd District Court
Liberty County, Texas
Trial Cause No. CR30821**

MEMORANDUM OPINION

In this appeal, Alfred Lynn Gallander’s court-appointed counsel filed a brief contending no arguable grounds can be advanced to support reversing Gallander’s felony conviction of burglary of a building. Based on our review of the record, we agree with Gallander’s counsel that no arguable issues exist that would support a decision to reverse the judgment being appealed. *See Anders v. California*, 386 U.S. 738 (1967).

A jury found Gallander guilty of burglary of a building, a state jail felony. Following the punishment phase of Gallander's trial, the jury determined that Gallander should serve a two-year sentence and assessed a \$5,000 fine. *See* Tex. Penal Code Ann. § 30.02(a)(1), (c)(1) (West 2011). On appeal, Gallander's counsel filed a brief presenting counsel's professional evaluation of the record; in the brief, Gallander's counsel concludes that any appeal would be frivolous. *See Anders*, 386 U.S. at 744; *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). We granted an extension of time to allow Gallander to file a pro se brief; however, Gallander has not filed a response.

After reviewing the appellate record and the *Anders* brief filed by Gallander's counsel, we agree with counsel's conclusion that any appeal would be frivolous. Therefore, we need not order the appointment of new counsel to re-brief Gallander's appeal. *Cf. Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.¹

AFFIRMED.

HOLLIS HORTON
Justice

Submitted on July 31, 2015
Opinion Delivered November 18, 2015
Do Not Publish
Before McKeithen, C.J., Kreger and Horton, JJ.

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