

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

---

**NO. 09-15-00223-CR**  
**NO. 09-15-00224-CR**

---

**JAMES SHANKLE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

---

**On Appeal from the 356th District Court**  
**Hardin County, Texas**  
**Trial Cause Nos. 22896 & 22898**

---

---

**MEMORANDUM OPINION**

In two cases, James Shankle (Shankle) pleaded guilty to aggravated robbery and elected to have a jury determine his punishment. In each case, the trial court found Shankle guilty of the offense and the jury assessed punishment at thirty-five years in prison. The trial court sentenced Shankle in accordance with the jury verdict and ordered that the sentences be served concurrently. Shankle timely filed notices of appeal.

Shankle's appellate counsel filed a brief in both proceedings that presents counsel's professional evaluation of the records and concludes that the appeals are frivolous. *See Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). On September 25, 2015, we granted an extension of time for Shankle to file *pro se* briefs. We received no response from Shankle. We have independently reviewed the appellate records and we agree with counsel's conclusion that no arguable issues support the appeals. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeals. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991).

The judgments in cause numbers 22896 and 22898 properly reflect that Shankle pleaded guilty to the offenses and elected to have the jury assess punishment. We note, however, that each of the judgments also states that the jury found Shankle guilty of the offenses. This Court has the authority to reform the trial court's judgment to correct clerical errors. *See Tex. R. App. P. 43.2(b)*; *Bigley v. State*, 865 S.W.2d 26, 27 (Tex. Crim. App. 1993); *Asberry v. State*, 813 S.W.2d 526, 531 (Tex. App.—Dallas 1991, pet. ref'd). We delete the portion of each judgment stating "JUDGMENT OF CONVICTION BY JURY" and substitute "JUDGMENT OF CONVICTION BY COURT – PUNISHMENT BY JURY[.]" We delete the portion of the judgment stating "Verdict of Jury[]" and substitute

“Verdict of Court as to Guilt/Innocence[.]” We affirm the trial court’s judgments as reformed.<sup>1</sup>

AFFIRMED AS REFORMED.

---

LEANNE JOHNSON  
Justice

Submitted on December 28, 2015  
Opinion Delivered January 13, 2016  
Do Not Publish

Before Kreger, Horton, and Johnson, JJ.

---

<sup>1</sup> Shankle may challenge our decision in these cases by filing petitions for discretionary review. *See* Tex. R. App. P. 68.