

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00453-CR

CHRISTOPHER LEE MUSSLEWHITE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 1A District Court
Jasper County, Texas
Trial Cause No. 12240JD**

MEMORANDUM OPINION

A jury found appellant Christopher Lee Musslewhite guilty of burglary of a building, and the trial court assessed punishment at fifteen years of confinement and a fine of \$1000.¹

Musslewhite's appellate counsel filed a brief that presents counsel's professional evaluation of the record and concludes the appeal is frivolous. *See Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex.

¹The trial court punished Musslewhite as an habitual felony offender.

Crim. App. 1978). On July 28, 2016, we granted an extension of time for Musslewhite to file a *pro se* brief. We received no response from Musslewhite.

We have reviewed the appellate record, and we agree with counsel's conclusion that no arguable issues support the appeal. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Cf. Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.²

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on October 28, 2016
Opinion Delivered November 16, 2016
Do Not Publish

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

²Musslewhite may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.