

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00518-CR

JOHNATHAN LIVINGSTON GREER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause No. 13-16614

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, Johnathan Livingston Greer¹ pleaded guilty to burglary of a habitation. The trial court found the evidence sufficient to substantiate Greer's guilt, deferred further proceedings, and placed Greer on community supervision for ten years and assessed a fine of \$500. The State later filed a motion to revoke Greer's community supervision, alleging five violations of the conditions of his community supervision. Greer pleaded "true" to two

¹Johnathan Livingston Greer is also known as Johnathon Levington Greer.

violations of his community supervision. After hearing evidence regarding the State's allegation that Greer committed the offense of robbery while on community supervision, the trial court found that Greer had violated the conditions of his community supervision, adjudicated Greer's guilt for burglary of a habitation, revoked Greer's community supervision, and sentenced Greer to twenty years in prison.

Greer'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. Crim. App. 1978). On May 20, 2016, we granted an extension of time for Greer to file a *pro se* brief. We received no response from Greer. We have determined that Greer's appeal is wholly frivolous. We have independently reviewed the clerk's record and the reporter's record, and we agree with counsel's conclusion that no arguable issues support Greer's appeal. Therefore, 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.²

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

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on August 24, 2016
Opinion Delivered August 31, 2016
Do Not Publish

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