

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00411-CR

DEMARIUS LA RYONE JEFFERSON

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 258th District Court
Polk County, Texas
Trial Cause No. 24,125

MEMORANDUM OPINION

A jury found appellant Demarius La Ryone Jefferson guilty of aggravated kidnapping as an habitual felony offender and assessed punishment at thirty years of imprisonment. Jefferson'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 June 16, 2016, we granted an extension of time for Jefferson to file a *pro se* brief. Jefferson filed a *pro se* brief in response. The Court of Criminal Appeals

has held that we need not address the merits of issues raised in an *Anders* brief or a *pro se* response. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005).

Rather, an appellate court may determine: (1) “that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error[;]” or (2) “that 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 reviewed the appellate record, and we agree with counsel’s conclusion that no arguable issues support an appeal. *See id.* 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.¹

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on March 6, 2017
Opinion Delivered March 15, 2017
Do Not Publish

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

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