

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00394-CR

JAKARI STONER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause No. 12-15437

MEMORANDUM OPINION

Appellant Jakari Stoner was indicted for indecency with a child, a second-degree felony. *See* Tex. Penal Code Ann. § 21.11(a)(1), (d) (West 2011). Stoner pleaded guilty pursuant to a plea bargain agreement. The trial court found the evidence sufficient to find Stoner guilty, but deferred further proceedings, placed Stoner on community supervision for ten years, and assessed a fine of \$500. The State subsequently filed a motion to revoke Stoner’s unadjudicated community supervision. Stoner pleaded “true” to two of the alleged violations of the terms of

his community supervision. The trial court found that Stoner violated the conditions of his community supervision, found Stoner guilty of indecency with a child, and assessed punishment at fifteen years of confinement. Stoner then filed this appeal.

Stoner'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). Stoner 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 *Anders* briefs or *pro se* responses. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). Rather, an appellate court may determine either: (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 determined that this appeal is wholly frivolous. We have independently examined the clerk's records and the reporter's record, and we agree 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 August 24, 2017
Opinion Delivered September 27, 2017
Do Not Publish

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

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