

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00446-CR
NO. 09-16-00447-CR

TRAVIS HAYNES, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause Nos. 13-16851 & 13-17690

MEMORANDUM OPINION

In 2013, Travis Haynes (Haynes) was indicted on one third-degree felony count of evading arrest by use of a vehicle and one state jail felony count of evading arrest with a previous conviction for evading arrest. *See* Act of May 27, 2011, 82nd Leg., R.S., ch. 920, § 3, 2011 Tex. Gen. Laws 2320, 2321 (amended 2013) (current version at Tex. Penal Code Ann. § 38.04). Haynes pleaded guilty on both counts. The court deferred adjudication of guilt in both causes, placed Haynes on community

supervision for a period of ten years on the third-degree felony count (cause number 13-17690) and a period of five years on the state jail felony count (cause number 13-16851), and assessed a fine of \$300 in both causes.

In July of 2015, the State filed a motion to revoke Hayne's unadjudicated probation, alleging six violations of the terms of his community supervision. In July 2016, the State filed an amended motion to revoke alleging two additional violations. At the November 2016 revocation hearing, the parties announced to the court and the court agreed that Haynes had previously pleaded "true" to counts two, four, and five of the motion to revoke, and then at the November hearing, Haynes pleaded "true" to count seven of the alleged violations in the amended motions in both cause numbers. The court found the evidence sufficient that Haynes violated one or more conditions of his community supervision. The court revoked Haynes's probation, adjudicated Haynes guilty in both causes, and sentenced Haynes to four years in the Institutional Division of the Texas Department of Criminal Justice in cause number 13-17690 and two years in state jail in cause number 13-16851, with the sentences to run concurrently. After the court certified Haynes's right of appeal, Haynes timely appealed from both judgments.

Haynes'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 and there are no meritorious claims for appeal. *See Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). We granted an extension of time for Haynes to file a pro se brief, and we received no response from Haynes. 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. *Cf. Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgments.¹

AFFIRMED.

LEANNE JOHNSON
Justice

Submitted on May 25, 2017
Opinion Delivered May 31, 2017
Do Not Publish

Before Kreger, Horton, and Johnson, JJ.

¹ Haynes may challenge our decision in these cases by filing a petition for discretionary review. *See Tex. R. App. P. 68.*