

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00106-CR

JASON DUNCAN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 75th District Court
Liberty County, Texas
Trial Cause No. CR26267

MEMORANDUM OPINION

Pursuant to a plea bargain agreement, appellant Jason Duncan pleaded guilty to sexual assault of a child. The trial court found the evidence sufficient to find Duncan guilty, but deferred further proceedings, placed Duncan on community supervision for ten years, and assessed a fine of \$1000. The State subsequently filed a motion to revoke Duncan’s unadjudicated community supervision. Duncan pleaded “not true” to the alleged violations of the conditions of his community supervision. After conducting an evidentiary hearing, the trial court found that

Duncan had violated the conditions of his community supervision, found Duncan guilty of sexual assault of a child, and assessed punishment at twenty years of confinement.

Duncan'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 August 10, 2017, we granted an extension of time for Duncan to file a *pro se* brief. We received no response from Duncan. We have reviewed the appellate record, and we agree with counsel's conclusion that no arguable issues support an 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.

AFFIRMED.

STEVE McKEITHEN
Chief Justice

Submitted on November 29, 2017
Opinion Delivered December 13, 2017
Do Not Publish

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