

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00440-CR
NO. 09-17-00441-CR
NO. 09-17-00442-CR
NO. 09-17-00443-CR

CASEY MICHAEL RHYNES, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 359th District Court
Montgomery County, Texas
Trial Cause No. 15-05-05331-CR, Counts 1-4

MEMORANDUM OPINION

In an open plea, Casey Michael Rhynes pleaded guilty as a habitual offender to aggravated assault against a public servant, two charges of aggravated assault with a deadly weapon, and one charge of evading arrest or detention with a motor vehicle. The trial court found that the evidence substantiated Rhynes's guilt and sentenced Rhynes to fifty years of confinement in the aggravated assault of a public servant

case, fifty years of confinement in each of the aggravated assault cases, and fifty years of confinement in the evading arrest or detention with a motor vehicle case. The trial judge ordered that the sentences would run concurrently.

Rhynes's appellate counsel filed an *Anders* brief that presents counsel's professional evaluation of the records and concludes that the appeals are frivolous. *See Anders v. California*, 386 U.S. 738 (1967); *High v. State*; 573 S.W.2d 807 (Tex. Crim. App. 1978). Rhynes 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 these appeals are wholly frivolous. We have independently examined the clerk's records and the reporter's records, and we agree that no arguable issues support the appeals. *See id.* 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.

STEVE McKEITHEN
Chief Justice

Submitted on September 12, 2018
Opinion Delivered September 26, 2018
Do Not Publish

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

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