

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-19-00058-CR**

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**GENE AUTRY HARTSFIELD III, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 1A District Court  
Jasper County, Texas  
Trial Cause No. 12253JD**

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**MEMORANDUM OPINION**

Pursuant to a plea-bargain agreement, appellant Gene Autry Hartsfield III<sup>1</sup> pleaded guilty to delivery of marijuana in a drug-free zone. The trial court found the evidence sufficient to find Hartsfield guilty, but deferred further proceedings, placed Hartsfield on community supervision for five years, and assessed a fine of \$2000.

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<sup>1</sup>The indictment refers to Hartsfield as “Gene Autry Hartsfield, III[,]” but the judgment refers to Hartsfield as “Gene Autry Hartsfield[.]”

The State subsequently filed a motion to revoke Hartsfield's unadjudicated community supervision. Hartsfield pleaded "not true" to the alleged violations of the conditions of his community supervision. After conducting an evidentiary hearing, the trial court found that Hartsfield violated the conditions of his community supervision, found Hartsfield guilty of delivery of marijuana in a drug-free zone, and assessed punishment at ten years of confinement.

Hartsfield'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 May 28, 2019, and July 1, 2019, we granted an extension of time for appellant to file a *pro se* brief. We received no response from Hartsfield.

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.<sup>2</sup>

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<sup>2</sup>Hartsfield may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.

AFFIRMED.

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STEVE McKEITHEN  
Chief Justice

Submitted on October 22, 2019  
Opinion Delivered December 4, 2019  
Do Not Publish

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