

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-19-00262-CR

D'ANDRE JAMAL EDISON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause No. 17-26752

MEMORANDUM OPINION

The State indicted D'Andre Jamal Edison for Felony Theft of a Firearm, a State Jail Felony. *See* Tex. Penal Code Ann. § 31.03. On March 20, 2017, Edison pled guilty pursuant to a plea bargain and was sentenced to confinement in the Texas Department of Criminal Justice for two years, but the sentence was suspended and

he was placed on community supervision for five years.¹ On July 12, 2019, the trial court held a hearing on the State's motion to revoke Edison's community supervision whereat Edison pled true to one of the State's alleged violations, and the trial court sentenced Edison to two years of confinement in the Institutional Division of the Texas Department of Criminal Justice. The trial court certified that this was not a plea-bargain case and Edison had the right of appeal. Edison timely filed a notice of appeal.

The attorney appointed to represent Edison in his appeal filed an *Anders* brief which asserted that the attorney diligently reviewed the record and found no meritorious claims on which to appeal Edison's sentence and that any appeal would be frivolous. *See Anders v. California*, 386 U.S. 738, 744–45 (1967); *High v. State*, 573 S.W.2d 807, 810–13 (Tex. Crim. App. [Panel Op.] 1978). Counsel served Edison with a copy of the *Anders* brief filed on his behalf. This Court notified Edison of his right to file a *pro se* response, as well as the deadline for doing so. This Court did not receive a *pro se* response.

We have independently reviewed the record, and we agree with counsel that this appeal is wholly frivolous and without merit; we find nothing in the record that

¹ Edison was charged with two counts of Felony Theft of a Firearm, but the State and Edison agreed to only convict him under count 1 of the indictment.

arguably might support an appeal. *See Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991) (stating that the reviewing court must determine whether arguable grounds for review exist). The Court concludes it is unnecessary for us to order appointment of new counsel to re-brief this appeal. *Cf. id.* As no arguable grounds exist to support the appeal, we affirm the trial court's judgment.²

AFFIRMED.

CHARLES KREGER
Justice

Submitted on April 16, 2020
Opinion Delivered June 24, 2020
Do Not Publish

Before Kreger, Horton and Johnson, JJ.

² Edison may challenge our decision in this case by filing a petition for discretionary review. *See Tex. R. App. P. 68.*