In The

Court of Appeals

Ninth District of Texas at Beaumont

_____

NO. 09-21-00235-CR
_____

ROBERT TRAYVON MCQUEEN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 258th District Court
Polk County, Texas
Trial Cause No. 27,966

MEMORANDUM OPINION

A jury found Robert Trayvon McQueen guilty of evading arrest or detention

with a motor vehicle and assessed punishment as a prior felony offender at nine years

of imprisonment and a $10,000 fine. *See* Tex. Penal Code Ann. § 38.04(a), (b)(2)(A).

McQueen's appellate counsel filed an *Anders* 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 February 2, 2022, we granted an extension of time for McQueen to file a *pro se* brief. We received no response from McQueen.

We 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). However, we note that the trial court's judgment contains a clerical error because it incorrectly states that McQueen pleaded "GUILTY" to the offense, whereas the reporter's record reflects that he pleaded "[n]ot guilty." This Court has the authority to modify the trial court's judgment to correct clerical errors. *See* Tex. R. App. P. 43.2(b); *Bigley v. State*, 865 S.W.2d 26, 27-28 (Tex. Crim. App. 1993). Accordingly, we modify the trial court's judgment to reflect that McQueen pleaded "NOT GUILTY" to the offense. We affirm the trial court's judgment as modified.[1]

AFFIRMED AS MODIFIED.

_____
W. SCOTT GOLEMON
Chief Justice

Submitted on May 12, 2022
Opinion Delivered June 8, 2022
Do Not Publish

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

_____

[1]McQueen may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.1.