

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

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**NO. 09-23-00146-CR**  
**NO. 09-23-00147-CR**

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**MITCHELL DALE FORTIN, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 435th District Court**  
**Montgomery County, Texas**  
**Trial Cause Nos. 21-06-08504-CR, 21-06-08514-CR**

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**MEMORANDUM OPINION**

A jury found Appellant Mitchell Dale Fortin guilty of the first-degree felony offense of continuous sexual abuse of a child and the second-degree felony offense of indecency with a child by contact. *See* Tex. Penal Code Ann. §§ 21.02(b), (h); 21.11(a)(1), (d). The jury assessed Fortin’s punishment at thirty-five years of imprisonment for the offense of continuous sexual abuse of a child and at twenty

years of imprisonment for the offense of indecency with a child. The trial court granted the State's Motion to Cumulate Sentence and ordered the sentences to run consecutively.

On appeal, Fortin's appellate counsel filed *Anders* briefs that present counsel's professional evaluation of the records and concludes 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). On November 17, 2023, we granted an extension of time for Fortin to file pro se briefs, and Fortin filed no responses.

Upon receiving the *Anders* briefs, this Court must conduct a full examination of all the proceedings to determine whether the appeals are wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988) (citing *Anders*, 386 U.S. at 744). We have reviewed the entire records and counsel's briefs, and we have found nothing that would arguably support the appeals. *Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005) (“Due to the nature of *Anders* briefs, by indicating in the opinion that it considered the issues raised in the briefs and reviewed the record for reversible error but found none, the court of appeals met the requirements of Texas Rule of Appellate Procedure 47.1.”). 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.<sup>1</sup>

AFFIRMED.

W. SCOTT GOLEMON  
Chief Justice

Submitted on February 26, 2024  
Opinion Delivered February 28, 2024  
Do Not Publish

Before Golemon, C.J., Horton and Wright, JJ.

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<sup>1</sup>Fortin may challenge our decision in these cases by filing a petition of discretionary review with the Texas Court of Criminal Appeals. *See* Tex. R. App. P. 68.