



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-16-00367-CR**

ANTHONY ROHLF

APPELLANT

V.

THE STATE OF TEXAS

APPELLEE

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FROM CRIMINAL DISTRICT COURT NO. 2 OF TARRANT COUNTY  
TRIAL COURT NO. 1411869D

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**MEMORANDUM OPINION<sup>1</sup>**  
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A jury found appellant Anthony Rohlf guilty of aggravated assault with a deadly weapon—a knife. After Rohlf pleaded true to the State’s enhancement allegations, the trial court sentenced Rohlf to twenty-five years’ incarceration. This appeal followed.

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<sup>1</sup>See Tex. R. App. P. 47.4.

Rohlf's court-appointed appellate counsel has filed a motion to withdraw and a brief in support of that motion. Counsel avers that in his professional opinion, the appeal is frivolous. Counsel's brief and motion meet the requirements of *Anders v. California* by presenting a professional evaluation of the record and demonstrating why there are no arguable grounds for relief. 386 U.S. 738, 87 S. Ct. 1396 (1967). In compliance with *Kelly v. State*, counsel notified Rohlf of his motion to withdraw, provided him a copy of the motion and brief, informed him of his right to file a pro se response, informed him of his right to seek discretionary review should this court hold the appeal frivolous, and took concrete measures to facilitate Rohlf's review of the appellate record. 436 S.W.3d 313, 319 (Tex. Crim. App. 2014). Rohlf had the opportunity to file a pro se brief and has done so. The State submitted a letter stating that it would not be filing a brief.

Once an appellant's court-appointed attorney files a motion to withdraw on the ground that the appeal is frivolous and fulfills the requirements of *Anders*, this court is obligated to undertake an independent examination of the record. See *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991); *Mays v. State*, 904 S.W.2d 920, 922–23 (Tex. App.—Fort Worth 1995, no pet.). Only then may we grant counsel's motion to withdraw. See *Penon v. Ohio*, 488 U.S. 75, 82–83, 109 S. Ct. 346, 351 (1988).

We have carefully reviewed the record, counsel's brief, and Rohlf's pro se brief. We agree with counsel that this appeal is wholly frivolous and without

merit—we find nothing in the record that might arguably support the appeal. See *Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005); see also *Meza v. State*, 206 S.W.3d 684, 685 n.6 (Tex. Crim. App. 2006). Accordingly, we grant counsel’s motion to withdraw and affirm the trial court’s judgment.

/s/ Bill Meier

BILL MEIER  
JUSTICE

PANEL: SUDDERTH, C.J.; MEIER and GABRIEL, JJ.

DELIVERED: January 11, 2018