

NO. 07-07-0433-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
JULY 22, 2008

JEREMY NATHAN BRISCOE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 64TH DISTRICT COURT OF HALE COUNTY;
NO. A17331-0708; HON. ROBERT W. KINCAID, JR., PRESIDING

Before QUINN, C.J., HANCOCK, J. and BOYD, S.J.¹

Jeremy Nathan Briscoe was convicted of aggravated assault with a deadly weapon upon his plea of guilt and sentenced by a jury to confinement for thirteen years and a fine of \$10,000. He timely filed his notice of appeal.

¹John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. Tex. Gov't Code Ann. §75.002(a)(1) (Vernon Supp. 2008).

Appellant's appointed counsel has filed a motion to withdraw, together with an *Anders*² brief wherein he certifies that, after diligently searching the record, he has concluded that appellant's appeal is without merit. Along with his brief, he has filed a copy of a letter sent to appellant informing him of counsel's belief that there was no reversible error and of appellant's right to file his own response if he wished to do so. By letter dated February 6, 2008, this court also notified appellant of his right to tender his own response and set March 7, 2008, as the deadline to do so. To date, we have received neither a response nor a request for additional time to file a response.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed one potential area for appeal. That involves the legal and factual sufficiency of the evidence to sustain the conviction. However, counsel reviewed the evidence presented at trial and determined that no reversible error existed. Thereafter, we conducted our own review of the record to assess the accuracy of appellate counsel's conclusion and to uncover any error pursuant to *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991), and concluded the same.

Accordingly, the motion to withdraw is granted and the judgment is affirmed.

Brian Quinn
Chief Justice

Do not publish.

²See *Anders v. California*, 386 U.S. 738, 744-45, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967).