NO. 07-07-0463-CR

IN THE COURT OF APPEALS

FOR THE SEVENTH DISTRICT OF TEXAS

AT AMARILLO

PANEL C

JULY 15, 2008

DONALD RAY RECTOR, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 320TH DISTRICT COURT OF POTTER COUNTY;

NO. 56,147-D; HON. DON EMERSON, PRESIDING

Memorandum Opinion

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

Donald Ray Rector, Jr., appeals his conviction after a jury trial for possession of a controlled substance in a drug free zone, enhanced. Appellant's appointed counsel filed a motion to withdraw, together with an *Anders*[1] brief in which she certified that, after

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

diligently searching the record, she concluded that the appeal was without merit. Along with her brief, appellate counsel attached 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 a response *pro se.* Appellant filed a response on June 24, 2008.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed four potential areas for appeal. They involve 1) the legal sufficiency of the evidence to establish that appellant knowingly exercised actual control, management , or care over the controlled substance, 2) the legal sufficiency of the evidence to establish that the offense occurred in a drug free zone, 3) the enhancement of appellant's punishment, and 4) the loss of the signed jury charge. However, appellate counsel has satisfactorily explained why each issue lacks merit.

We have also conducted our own review of the record to assess the accuracy of appellate counsel's conclusions and to uncover any error pursuant to *Stafford v. State,* 813 S.W.2d 503 (Tex. Crim. App. 1991), along with appellant's response, and conclude that no reversible error exists.

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

Brian Quinn
Chief Justice

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