

NO. 07-08-0056-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
JULY 21, 2008

PORFIRIO C. MORALES ,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 137TH DISTRICT COURT OF LUBBOCK COUNTY;
NO. 2005-408,077; HON. CECIL G. PURYEAR, PRESIDING

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

Appellant pled guilty to the offense of assault (family violence with a prior conviction) and was sentenced to ten years confinement, probated for four years. He now appeals the revocation of his probation.

¹ John 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 in which 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 a response *pro se*. Appellant filed a motion for extension of time to file a response and that motion was granted allowing appellant until June 16, 2008, to do so. To date, no response has been received.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed whether the trial court abused its discretion in revoking appellant's probation. Upon final analysis, he concluded that no reversible error existed. We 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) 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Do not publish.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).