

NO. 07-08-0471-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
MAY 14, 2009

THELMA LEE WILEY,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 110TH DISTRICT COURT OF DICKENS COUNTY;
NO. 2350; HON. WILLIAM P. SMITH, PRESIDING

Anders Opinion

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

After a jury trial, Thelma Lee Wiley was found guilty of the offense of manslaughter with a deadly weapon. Her punishment was assessed at twenty years confinement and a fine of \$10,000.

Appellant's appointed counsel has filed a motion to withdraw, together with an *Anders*¹ brief. In that brief, he certifies that he diligently searched the record for arguable

¹See *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967).

error and found none. Along with his brief, he filed a copy of a letter sent to appellant informing her of his conclusion and of her right to file a brief or response *pro se*.² By letter dated February 26, 2009, this Court also notified appellant of her right to file her own response by March 30, 2009, if she so wished. Thereafter, appellant requested an extension of the deadline, which extension the Court granted to April 29, 2009. To date, we have received neither a response nor another request for an extension of time from appellant.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed various phases of the trial including 1) voir dire, 2) the evidence offered at the guilt/innocence phase of trial, and 3) the evidence offered at the punishment phase of trial. Counsel also discussed the proceedings and analyzed the evidence offered before concluding that no reversible error existed. Thereafter, we reviewed the record to assess the accuracy of appellate counsel's conclusions and to uncover any arguable error pursuant to *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991). Upon doing so, we too decide that there exists no arguable error warranting appellate review.

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

Brian Quinn
Chief Justice

Do not publish.

²Appellant also has a right to file a *pro se* petition for discretionary review from the opinion of this court.