

NO. 07-09-0328-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
MARCH 30, 2010

ROBERT RAWLINSON, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 242nd DISTRICT COURT OF HALE COUNTY;

NO. B16043-0505; HON. ED SELF, PRESIDING

Anders Opinion

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

Robert Rawlinson, Jr. (appellant) appeals an order revoking his probation and ordering that he serve two years in a state jail facility. He had previously pled guilty to burglary of a building and was placed on two years deferred adjudication probation. The State subsequently filed a motion to adjudicate appellant's guilt, which the trial court granted, and sentenced appellant to two years in a state jail facility. However, the court suspended sentence and placed appellant on community supervision for five

years. The State, again, filed a motion alleging appellant had violated his community supervision. The trial court revoked appellant's probation and sentenced him to two years in a state jail facility. His appellate counsel moved to withdraw and filed an *Anders*¹ brief in conjunction with that motion. In the brief, he represents that, after conducting a diligent search, he found no meritorious issues warranting appeal. Along with his brief, appellate counsel sent appellant a letter informing him of his conclusions and his right to file a *pro se* response or brief. We too informed appellant, by letter, of his right to appear via a *pro se* response or brief no later than March 22, 2010. To date, no response has been filed.

In compliance with the principles enunciated in *Anders*, appellate counsel illustrated why the appeal was meritless. Appellant pled true to the allegations in the State's motion. A plea of true standing alone supports a decision to revoke probation or adjudicate guilt. *Cole v. State*, 578 S.W.2d 127, 128 (Tex. Crim. App. 1979). We have also conducted our own review of the record, pursuant to *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991), to assess the accuracy of appellate counsel's conclusions and to uncover any error. That review failed to reveal any error.

Accordingly, the motion to withdraw is granted, and the judgment is affirmed.²

Brian Quinn
Chief Justice

Do not publish.

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

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