

NO. 07-10-0167-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
AUGUST 4, 2010

SHANNON ROSS WEAVER,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE COUNTY COURT OF LAMB COUNTY;
NO. 15,983; HONORABLE WILLIAM A. THOMPSON JR., PRESIDING

Anders Opinion

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

Shannon Ross Weaver was convicted of driving while intoxicated and sentenced after a jury trial to sixty days confinement in the county jail and a fine of \$1,000. Appellant appealed.

Appellant's appointed counsel has filed a motion to withdraw, together with an *Anders*¹ brief, wherein he certified that, after diligently searching the record, he concluded that the appeal was without merit. Along with his brief, appellate counsel

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

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 or brief *pro se*. By letter dated July 1, 2010, this court also notified appellant of his right to file his own brief or response and set July 26, 2010, as the deadline to do so. To date, appellant has filed neither a response, brief, nor a request for an extension of time.

In compliance with the principles enunciated in *Anders*, counsel discussed several potential areas for appeal. They include 1) the validity of the search warrant used to obtain a blood sample from appellant, and 2) the admission of evidence regarding whether appellant took a portable breath test. However, appellate counsel explained why each argument lacks merit.

We have also conducted our own review of the record to assess the conclusions of appellate counsel and to uncover any reversible error pursuant to *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991). That review has failed to reveal reversible error.

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

Brian Quinn
Chief Justice

Do not publish.

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