

NO. 07-11-0391-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
JANUARY 10, 2012

DERRECK COWLEY,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 106TH DISTRICT COURT OF GARZA COUNTY;
NO. 10-2562; HONORABLE CARTER T. SCHILDKNECHT, PRESIDING

Memorandum Opinion

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

Derreck Cowley (appellant) appeals his conviction for possession of a controlled substance, methamphetamine. After his motion to suppress was denied, he pled guilty and was sentenced to six years in prison.

Appellant's appointed counsel 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

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

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*. By letter dated December 5, 2011, this court notified appellant of his right to file his own brief or response by January 4, 2012, if he wished to do so. To date, a response has not been filed.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed one potential area for appeal which included the trial court's denial of appellant's motion to suppress. However, counsel then proceeded to explain why the issue was without merit.

In addition, we conducted our own review of 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 508 (Tex. Crim. App. 1991). After doing so, we concur with counsel's conclusions.

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Do not publish.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.