

NO. 07-12-0240-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
DECEMBER 17, 2012

MICHAEL EARL PEDDICORD,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 251ST DISTRICT COURT OF RANDALL COUNTY;
NO. 22,774-C; HONORABLE ANA ESTEVEZ, PRESIDING

Memorandum Opinion

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

Michael Earl Peddicord was convicted after an open guilty plea of burglary of a habitation and sentenced to twenty-eight years confinement. That conviction was enhanced by a prior felony conviction.

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

¹ *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 October 5, 2012, this court also notified appellant of his right to file his own brief or response by November 5, 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 potential areas for appeal which included the sufficiency of the evidence to support the plea of guilty and the punishment assessed. However, he also explained why the issues were without merit. Indeed, before guilt was adjudicated, the State had presented ample testimony allowing the factfinder to conclude that appellant committed the crime to which he pled guilty beyond reasonable doubt.

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.

Brian Quinn
Chief Justice

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