



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-13-00157-CR

WILLIAM CURTIS PEDEN, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 355th District Court
Hood County, Texas
Trial Court No. 8395, Honorable Ralph H. Walton, Jr., Presiding

November 4, 2013

MEMORANDUM OPINION

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

William Curtis Peden, appellant, was charged with criminal non-support, a state jail felony and, after pleading guilty, was sentenced to twenty-four months in a state jail facility but sentence was suspended and appellant was placed on community supervision for three years. Subsequently, the State filed a motion to revoke appellant's community supervision which led to the trial court extending his time on community supervision. Later, the State, again, sought to have appellant's probation revoked, and appellant pled true to failing to report, complete community service hours, and paying

restitution and community supervision fees. The trial court granted the motion to revoke and assessed two years in a state jail facility.

Appellant's counsel has filed a motion to withdraw, together with an *Anders*¹ brief, wherein he certifies that, after diligently searching the record, he has concluded that the appeal is without merit. Along with his brief, he has 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 appeal *pro se*. By letter, this court also notified appellant of his right to file his own brief or response by September 30, 2013, if he wished to do so. To date, no response has been received.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed potential areas for appeal which included the sufficiency of the evidence to revoke probation, and the propriety of the sentence assessed. However, he then explained why the issues lacked merit.

In addition, we conducted our own review of the record to assess the accuracy of counsel's conclusions and to uncover arguable error pursuant to *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008) and *Stafford v. State*, 813 S.W.2d 508 (Tex. Crim. App. 1991). After doing so, we concurred with counsel's conclusions.

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

Brian Quinn
Chief Justice

Do not publish.

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

² Appellant has the right to file a petition for discretionary review with the Court of Criminal Appeals.