



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

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No. 07-13-00302-CR

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**KRISTOPHER TONY GARCIA, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 242nd District Court  
Hale County, Texas  
Trial Court No. B19066-1202, Honorable Edward Lee Self, Presiding

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**March 25, 2014**

**MEMORANDUM OPINION**

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

Appellant, Kristopher Tony Garcia, entered a plea of guilty to the charge of unauthorized use of a motor vehicle,<sup>1</sup> a state jail felony, and was placed on deferred adjudication for a period of three years, pursuant to a plea bargain. Subsequently, the State filed a motion to adjudicate appellant. At the hearing on the motion to adjudicate, appellant entered pleas of true to the allegations made by the State. Thereafter, the trial court found the allegations to be true and after hearing the evidence on

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<sup>1</sup> See TEX. PENAL CODE ANN. § 31.07 (West 2011).

punishment, sentenced appellant to two years in a State Jail Facility. Appellant gave notice of appeal. We will affirm the judgment of the trial court.

Appellant's attorney has filed an *Anders* brief and a motion to withdraw. *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed. 2d 498 (1967). In support of his motion to withdraw, counsel certifies that he has diligently reviewed the record, and in his opinion, the record reflects no reversible error upon which an appeal can be predicated. *Id.* at 744–45. In compliance with *High v. State*, 573 S.W.2d 807, 813 (Tex. Crim. App. 1978), counsel has candidly discussed why, under the controlling authorities, there is no error in the trial court's judgment. Additionally, counsel has certified that he has provided appellant a copy of the *Anders* brief and motion to withdraw, and appropriately advised appellant of his right to file a *pro se* response in this matter. *Stafford v. State*, 813 S.W.2d 503, 510 (Tex. Crim. App. 1991). The Court has also advised appellant of his right to file a *pro se* response. Appellant has not filed a response. By his *Anders* brief, counsel reviewed all grounds that could possibly support an appeal, but concludes the appeal is frivolous. We have reviewed these grounds and made an independent review of the entire record to determine whether there are any arguable grounds which might support an appeal. *See Penson v. Ohio*, 488 U.S. 75, 109 S.Ct. 346, 102 L.Ed.2d 300 (1988); *Bledsoe v. State*, 178 S.W.3d 824 (Tex. Crim. App. 2005). We have found no such arguable grounds and agree with counsel that the appeal is frivolous.

Accordingly, counsel's motion to withdraw is hereby granted, and the trial court's judgment is affirmed.<sup>2</sup>

Mackey K. Hancock  
Justice

Do not publish.

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<sup>2</sup> Counsel shall, within five days after this opinion is handed down, send his client a copy of the opinion and judgment, along with notification of appellant's right to file a *pro se* petition for discretionary review. See TEX. R. APP. P. 48.4.