



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

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No. 07-13-00260-CR

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**RACHEL IRENE GRIFFIN, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 110th District Court  
Floyd County, Texas  
Trial Court No. 4478, Honorable William P. Smith, Presiding

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May 6, 2014

**MEMORANDUM OPINION**

Before **CAMPBELL** and **HANCOCK** and **PIRTLE, JJ.**

Appellant, Rachel Irene Griffin, was charged with driving while intoxicated third or more offense.<sup>1</sup> Pursuant to a plea agreement, appellant entered a plea of guilty to the charge and was sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice (ID-TDCJ) for five years. The sentence of confinement was suspended and appellant was placed on community supervision for a term of five years. Subsequently, the State filed a motion to revoke her probation. Appellant

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<sup>1</sup> See TEX. PENAL CODE ANN. §§ 49.04(a), 49.09(b)(2) (West Supp. 2013).

entered a plea of “not true” to the allegations contained within the motion to revoke her probation. After hearing the evidence at a hearing on the motion to revoke probation, the trial court revoked appellant’s probation and sentenced her to confinement for five years in the ID-TDCJ. Appellant appealed and we will affirm.

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 her right to file a *pro se* response. Appellant has not filed a response.

By his *Anders* brief, counsel raises 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.