

In The Court of Appeals Seventh District of Texas at Amarillo

No. 07-13-00354-CR

ROLANDA WILSON, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 85th District Court
Brazos County, Texas
Trial Court No. 12-01811-CRF-85, Honorable J. D. Langley, Presiding

July 21, 2014

MEMORANDUM OPINION

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

Appellant, Rolanda Wilson, entered a plea of guilty without a plea agreement to the indicted offense of fraudulent use or possession of identifying information less than five items against elderly. Following her plea of guilty, the trial court conducted a hearing on punishment and sentenced appellant to serve a term of five years in the Institutional Division of the Texas Department of Criminal Justice. Appellant appealed and we will affirm.

¹ See TEX. PENAL CODE ANN. § 32.51(c)(1), (c-1)(1) (West Supp. 2013).

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. [Panel Op.] 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 her right to file a pro se response in this matter. Stafford v. State, 813 S.W.2d 503, 510 (Tex. Crim. App. 1991) (en banc). The Court has also advised appellant of her right to file a pro se response. Additionally, appellant's counsel has certified that he has provided appellant with a copy of the record to use in preparation of a pro se response. See Kelly v. State, No. PD-0702-13, 2014 Tex. Crim. App. LEXIS 911 (Tex. Crim. App. June 25, 2014). 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, 80, 109 S. Ct. 346, 102 L. Ed. 2d 300 (1988); *Bledsoe v. State*, 178 S.W.3d 824, 826–

27 (Tex. Crim. App. 2005). We have found no such arguable grounds and agree with counsel that the appeal is frivolous. ²

Accordingly, counsel's motion to withdraw is hereby granted, and the trial court's judgment is affirmed.

Mackey K. Hancock Justice

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² 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.