



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

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No. 07-14-00385-CR

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**MONITA MECHELLE SMITH, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 181st District Court  
Randall County, Texas  
Trial Court No. 25,083-B, Honorable John B. Board, Presiding

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February 4, 2015

**MEMORANDUM OPINION**

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

Monita Mechelle Smith, appellant, appeals her convictions for burglary of a building and for credit card or debit card abuse as alleged in a two count indictment. Appellant pled guilty without the benefit of a plea agreement. Testimony was heard by the trial court and punishment was assessed at ten years for each count to run concurrently. Appellant's counsel has filed a motion to withdraw, together with an *Anders*<sup>1</sup> brief, wherein he certifies that, after diligently searching the record, he has

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

concluded that the appeal is without merit. Along with his brief, he has filed a copy of a letter sent to appellant informing her of counsel's belief that there was no reversible error and of appellant's right to file a *pro se* response. So too did he represent that the appellate record was provided to appellant. By letter dated December 12, 2014, this court also notified appellant of her right to file her own brief or response by January 12, 2015, if she 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 guilty pleas, sufficiency of the evidence to support the convictions, the punishment assessed, and the effectiveness of counsel. 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 judgments are affirmed.<sup>2</sup>

Brian Quinn  
Chief Justice

Do not publish.

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