



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

Nos. 07-16-00219-CR,
07-17-00244-CR

JASON LEE SCHAEFER, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 47th District Court
Randall County, Texas
Trial Court No. 25596A (Counts I & III);
Honorable Dan L. Schaap, Presiding

July 14, 2017

MEMORANDUM OPINION

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

Appellant, Jason Lee Schaefer, appeals his convictions for aggravated assault against a public servant and deadly conduct by discharging a firearm. Appellant waived his right to a jury trial and pleaded no contest to the charges without an agreement on punishment. After the State presented its evidence, the trial court found him guilty of the offenses. Upon completion of the punishment hearing, the trial court assessed punishment at twenty years' imprisonment for aggravated assault and five years'

imprisonment for deadly conduct, with the sentences to run concurrently. 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 respond *pro se*. Furthermore, counsel represented that a copy of the appellate record had been provided to appellant.

By letter, this court notified appellant of his right to file his own brief or response, if he wished to do so. Appellant has filed a response asserting that his trial counsel failed to present evidence of his mental health history and failed to raise the issue of his sanity at the time of the offenses. Appellant also complained of the excessiveness of his punishment.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed potential areas for appeal. Those areas included the sufficiency of the evidence, the proportionality of the sentences imposed, and the effectiveness of trial counsel. However, counsel 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, 409 (Tex. Crim. App. 2008) (orig. proceeding), and *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991) (en banc). None was found.

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

Accordingly, the motion to withdraw is granted, and the judgments of the trial court are affirmed.²

Brian Quinn
Chief Justice

Do not publish.

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