



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

No. 07-19-00129-CR

ROBERT TYRONE LILLY, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 104th District Court
Taylor County, Texas
Trial Court No. 21263-B, Honorable Lee Hamilton, Presiding

July 15, 2019

MEMORANDUM OPINION

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

Robert Tyrone Lilly, appellant, appeals his conviction for evading arrest, enhanced. After an open plea, appellant was found guilty and punishment was assessed at thirty years' imprisonment by the trial court. Appellant filed an appeal and counsel was appointed.¹

¹ Because this appeal was transferred from the Eleventh Court of Appeals, we are obligated to apply its precedent when available in the event of a conflict between the precedents of that court and this Court. See TEX. R. APP. P. 41.3.

Appointed counsel filed a motion to withdraw and an *Anders*² brief in the cause. Through those documents, counsel certified that, after diligently searching the record, the appeal was without merit. Accompanying the brief and motion is a copy of a letter informing appellant of counsel's belief that there was no reversible error and of appellant's right to file a response, *pro se*. So too did the letter indicate that a copy of the appellate record was provided to appellant. By letter dated June 7, 2019, this Court also notified appellant of his right to file his own response by July 8, 2019. To date appellant has not filed a response.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed several potential areas for appeal, which included whether the indictment was proper, the voluntariness of appellant's guilty plea, whether the sentence was proper, and ineffective assistance of 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 any 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) (en banc). No such error was uncovered.

Accordingly, the motion to withdraw is granted, and the judgment is affirmed.³

Brian Quinn
Chief Justice

Do not publish.

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

³ Appellant has the right to file a petition for discretionary review with the Texas Court of Criminal Appeals.