



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-10-00129-CR

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TIMOTHY PARMER, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 402nd Judicial District Court  
Wood County, Texas  
Trial Court No. 20,401-2008

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Chief Justice Morriss

## MEMORANDUM OPINION

Timothy Parmer appeals from the adjudication of his guilt for the offense of aggravated assault with a deadly weapon. After adjudicating Parmer guilty, the trial court sentenced Parmer to twenty years' imprisonment.

Parmer's attorney on appeal—different from his trial counsel—has filed a brief which discusses the record and reviews the proceedings in detail. Counsel has thus provided a professional evaluation of the record demonstrating why, in effect, there are no arguable grounds to be advanced. This meets the requirements of *Anders v. California*, 386 U.S. 738 (1967); *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1981); and *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. [Panel Op.] 1978).

On December 22, 2010, counsel mailed to Parmer a copy of the brief and of counsel's motion asking this Court for permission to withdraw as counsel, informing Parmer of his right to file a pro se response and of his right to review the record. We also contacted Parmer by letter informing him that any pro se response was due on or before January 31, 2011. As of the date of this opinion, Parmer has not contacted this Court.

We have independently reviewed the clerk's record and the reporter's record, and we agree that no arguable issues support an appeal. See *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

If we determine that an appeal is without merit and is frivolous, the appeal must be dismissed or the judgment affirmed. *See Anders*, 386 U.S. 738. Because we find the appeal to be wholly frivolous, we affirm the judgment of the trial court.<sup>1</sup>

Josh R. Morriss, III  
Chief Justice

Date Submitted: March 9, 2011  
Date Decided: March 11, 2011

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<sup>1</sup>Since we agree this case presents no reversible error, we also, in accordance with *Anders*, grant counsel's request to withdraw from further representation of appellant in this case. No substitute counsel will be appointed. Should appellant wish to seek further review of this case by the Texas Court of Criminal Appeals, appellant must either retain an attorney to file a petition for discretionary review or appellant must file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from the date of either this opinion or the last timely motion for rehearing that was overruled by this Court. *See* TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed with this Court, after which it will be forwarded to the Texas Court of Criminal Appeals along with the rest of the filings in this case. *See* TEX. R. APP. P. 68.3. Any petition for discretionary review should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 68.4.