



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

No. 06-13-00064-CR

BRIAN PORTER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 202nd District Court
Bowie County, Texas
Trial Court No. 09F0526-202

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

MEMORANDUM OPINION

Brian Porter appeals from the revocation of his community supervision in two cases. In this case, Porter was placed on deferred adjudication July 15, 2011, for the offense of forgery and given ten years' community supervision. The State filed a motion to revoke in this case and in the companion case—a conviction for burglary of a habitation. On March 5, 2013, the court conducted a hearing, found the allegations true, adjudicated Porter's guilt, and sentenced him to ten years' imprisonment.

In his sole issue on appeal, relevant to both of the convictions, Porter contends that he was denied due process under the United States and Texas Constitutions because the trial court denied his motion for a continuance, denying his counsel adequate time to prepare his defense and obtain witnesses to testify on his behalf. The briefs and relevant record in both cases are identical, and the same legal analysis is applicable to both appeals.

For the reasons stated in our opinion in *Brian Porter v. The State of Texas*, cause number 06-13-00063-CR, decided this day, we likewise find that the trial court did not abuse its discretion by denying the motion in this case.

We affirm.

Josh R. Morriss, III
Chief Justice

Date Submitted: January 17, 2014
Date Decided: January 30, 2014

Do Not Publish