



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

No. 06-15-00061-CR

BOBBY EUGENE CLARK, JR., Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 124th District Court
Gregg County, Texas
Trial Court No. 42863

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

MEMORANDUM OPINION

Following a waiver of the right to trial by jury, Bobby Eugene Clark, Jr., was found guilty of indecency with a child by sexual contact and was sentenced to seven years' imprisonment. Clark appeals.

Clark's appellate counsel filed a brief that outlined the procedural history of the case, provided a detailed summary of the evidence elicited during the course of the trial court proceedings, and stated that counsel found no meritorious issues to raise on appeal. Meeting the requirements of *Anders v. California*, counsel has provided a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *Anders v. California*, 386 U.S. 738, 743–44 (1967); *In re Schulman*, 252 S.W.3d 403, 406 (Tex. Crim. App. 2008) (orig. proceeding); *Stafford v. State*, 813 S.W.2d 503, 509–10 (Tex. Crim. App. 1991); *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978). Counsel also filed a motion with this Court seeking to withdraw as counsel in this appeal.

In response to counsel's *Anders* brief, Clark has filed a pro se response in which he argues (1) that the trial court erred "in considering dates not listed on the indictment, thus not giving Appellant notice of the allegation that the State intend[ed] to prosecute," (2) that the trial court erred in its determinations involving witness credibility, (3) that the trial court erred in failing to require the child victim to "be evaluated by a professional for a competent screening," and (4) that he is actually innocent.

We have determined that this appeal is wholly frivolous. We have independently reviewed the entire record, as well as Clark's pro se response, and the State's response, and have determined

that no arguable issues support an appeal. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005). In the *Anders* context, once we determine that the appeal is without merit and is frivolous, we must either dismiss the appeal or affirm the trial court’s judgment. *See Anders*, 386 U.S. 738.

We affirm the judgment of the trial court.¹

Josh R. Morriss, III
Chief Justice

Date Submitted: January 25, 2016
Date Decided: February 10, 2016

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¹Since 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. *Anders*, 386 U.S. at 744. 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 either the date of this opinion or the date on which the last timely motion for rehearing was overruled by this Court. *See* TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed with the clerk of the Texas Court of Criminal Appeals. *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.