



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

No. 06-16-00224-CR

JACKLYN NICOLE BEATY, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 115th District Court
Upshur County, Texas
Trial Court No. 16,508

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

MEMORANDUM OPINION

In 2013, Jacklyn Nicole Beaty, pursuant to a plea agreement, pled guilty to one charge of possession of less than one gram of a controlled substance¹ and was placed on deferred adjudication community supervision. In 2016, the State moved to revoke Beaty's community supervision and to proceed to an adjudication of her guilt, alleging seven distinct violations of the conditions of Beaty's community supervision. Beaty pled true to all of the alleged violations and elected to have the trial court assess her punishment. The trial court granted the State's motion, revoked Beaty's community supervision, and, after a punishment hearing, sentenced Beaty to twenty-four months' incarceration in a state jail facility.

Beaty's appellate attorney filed a brief setting out the procedural history of the case, summarizing the evidence elicited during the course of the trial court proceedings, and concluding that the appellate record presents no arguable grounds to be raised on appeal. Meeting the requirements of *Anders v. California*, counsel has provided a professional evaluation of the record demonstrating why there are no plausible appellate issues to be advanced. *See 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.

Counsel forwarded copies of his brief, the clerk's record, and the reporter's record to Beaty and informed her of her rights to review the appellate record and to file a pro se response to

¹See TEX. HEALTH & SAFETY CODE ANN. § 481.115 (West 2010).

counsel's brief, should she so desire. We received neither a pro se response from Beaty nor a motion requesting an extension of time in which to file such a response.

We have determined that this appeal is wholly frivolous. We have independently reviewed the entire appellate record and, like counsel, have determined that no arguable issue supports 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, we must affirm the trial court's judgment. *Id.* at 826–27.

We affirm the judgment of the trial court.²

Josh R. Morriss, III
Chief Justice

Date Submitted: May 10, 2017
Date Decided: May 16, 2017

Do Not Publish

²Since we agree that 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. *See Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should the appellant desire to seek further review of this case by the Texas Court of Criminal Appeals, she must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review (1) 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, (2) must be filed with the clerk of the Texas Court of Criminal Appeals, *see* TEX. R. APP. P. 68.3, and (3) should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure, *see* TEX. R. APP. P. 68.4.