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

No. 06-17-00039-CR

SAMUEL LANE MCKNIGHT, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 124th District Court
Gregg County, Texas
Trial Court No. 43053-B

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

## MEMORANDUM OPINION

In 2016, the State moved to revoke Samuel Lane McKnight's community supervision[1] and to proceed to an adjudication of his guilt, alleging nine distinct violations of McKnight's community supervision. McKnight pled true to four of the allegations, and the trial court granted the State's motion. McKnight was sentenced to twelve years' incarceration. McKnight appeals.

McKnight'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 and motion to withdraw to McKnight and informed him of his rights to review the appellate record and to file a pro se response to counsel's brief, should he so desire. Additionally, counsel provided McKnight with a complete copy of the appellate record in this matter. McKnight was advised that his pro se response was due on or

[1]In 2014, McKnight, pursuant to a plea agreement, had pled guilty to sexual assault of a child and had been placed on deferred adjudication community supervision for a period of ten years. *See* TEX. PENAL CODE ANN. § 22.011(a)(2) (West 2011).

before October 5, 2017. We received neither a pro se response from McKnight 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.*

We affirm the judgment of the trial court.[2]

Josh R. Morriss, III
Chief Justice

Date Submitted: November 9, 2017
Date Decided: November 10, 2017

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[2]Since 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 McKnight in this case. *See Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should McKnight desire to seek further review of this case by the Texas Court of Criminal Appeals, he 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.