



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

No. 06-18-00126-CR

RODRICK DARNELL CARTER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 8th District Court
Hopkins County, Texas
Trial Court No. 1725847

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

MEMORANDUM OPINION

Rodrick Darnell Carter was serving a seven-year term of deferred adjudication community supervision,¹ when the State filed a motion to adjudicate Carter's guilt on the grounds that he had violated several of the terms and conditions of his community supervision. Carter pled "true" to all of the State's allegations, and the trial court adjudicated Carter's guilt and sentenced him to a term of two years' confinement in state jail. Carter appeals.

Carter's attorney on appeal has filed a brief stating that he has reviewed the record and has found no genuinely arguable issues that could be raised. The brief sets out the procedural history of the case and summarizes the evidence elicited during the course of the proceeding. Counsel has provided a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced and has therefore met the requirements of *Anders v. California*. 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. 1981); *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.

On September 11, 2018, counsel mailed to Carter a copy of the brief, the appellate record, and the motion to withdraw. Carter was informed of his right to review the record and file a pro se response. By letter dated September 11, 2018, this Court informed Carter that any pro se

¹Pursuant to a negotiated plea agreement regarding the underlying offense, Carter had pled guilty to theft of property valued at \$2,500.00 or more, but less than \$30,000.00, a state jail felony. See TEX. PENAL CODE ANN. § 31.03(e)(4)(A) (West Supp. 2018).

response was due on or before October 11, 2018. After the deadline for filing a pro se response had passed, this Court further informed Carter that the case was set for submission November 7, 2018. Carter has not filed a pro se response.

We have determined that this appeal is wholly frivolous. 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).

We affirm the trial court's judgment.²

Josh R. Morriss, III
Chief Justice

Date Submitted: November 7, 2018
Date Decided: November 8, 2018

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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 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.