



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

No. 06-23-00190-CR

JEFFERY DON DAVIDSON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 6th District Court
Red River County, Texas
Trial Court No. CR02932

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Justice van Cleef

MEMORANDUM OPINION

On August 12, 2019, Jeffery Don Davidson pled guilty to possession of a controlled substance, methamphetamine, in an amount less than one gram,¹ and the trial court placed Davidson on deferred adjudication community supervision for three years and assessed court costs of \$715.00, restitution of \$180.00 payable to the Texas Department of Public Safety, and a \$1,000.00 fine. Davidson did not appeal that order. On May 9, 2022, the trial court adjudicated Davidson's guilt, revoked his community supervision, sentenced him to twenty-four months' confinement in state jail, and assessed him court costs of \$76.99.

Davidson's appellate counsel filed a brief that outlined the procedural history of the case, provided a detailed summary of the evidence elicited during the trial court proceedings, and stated that counsel found no meritorious issues to raise on appeal. Counsel provided a professional evaluation of the record and demonstrated why there are no arguable grounds to be advanced, as required by law. *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).

Davidson's counsel filed a motion with this Court seeking to withdraw as counsel in this appeal and provided Davidson with copies of the brief and the motion to withdraw. On November 30, 2023, Davidson's counsel also informed him of his rights to review the record and to file a pro se response and provided him with a paper copy of the appellate record. By letter

¹See TEX. HEALTH & SAFETY CODE ANN. § 481.115(b) (Supp.).

dated November 30, 2023, we notified Davidson that his pro se response was due on or before January 2, 2024. We also notified Davidson by letter dated January 11, 2024, that the case would be submitted on briefs on February 1, 2024. Davidson did not file a pro se 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. *See id.*²

Charles van Cleef
Justice

Date Submitted: February 1, 2024
Date Decided: February 27, 2024

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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, appellant 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.