



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-09-00034-CR

CHARLES WILLIAM SELF,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 77th District Court  
Limestone County, Texas  
Trial Court No. 11513-A

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MEMORANDUM OPINION

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Charles William Self pled guilty to the first-degree felony offense of aggravated sexual assault of a child, and after a punishment hearing, was sentenced by the trial court to forty years in prison.

Self's appointed counsel filed a motion to withdraw and an *Anders* brief, asserting that he has diligently reviewed the appellate record and that, in his opinion, the appeal is frivolous. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). Although informed of his right to do so, Self did not file a *pro se* brief or

response. The State did not file a brief. We will affirm.

In an *Anders* case, we must, “after a full examination of all the proceedings, [] decide whether the case is wholly frivolous.” *Anders*, 386 U.S. at 744, 87 S.Ct. at 1400; accord *Stafford v. State*, 813 S.W.2d 503, 509-11 (Tex. Crim. App. 1991). An appeal is “wholly frivolous” or “without merit” when it “lacks any basis in law or fact.” *McCoy v. Court of Appeals*, 486 U.S. 429, 439 n.10, 108 S.Ct. 1895, 1902 n.10, 100 L.Ed.2d 440 (1988).

We have conducted an independent review of the record, and because we find this appeal to be wholly frivolous, we affirm the judgment. Counsel must send Self a copy of our decision by certified mail, return receipt requested, at Self’s last known address. TEX. R. APP. P. 48.4. Counsel must also notify Self of his right to file a *pro se* petition for discretionary review. *Id.*; see also *Ex parte Owens*, 206 S.W.3d 670, 673-74 (Tex. Crim. App. 2006). We grant counsel’s motion to withdraw, effective upon counsel’s compliance with the aforementioned notification requirement as evidenced by “a letter [to this Court] certifying his compliance.” See TEX. R. APP. P. 48.4.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Reyna, and  
Justice Davis

(Chief Justice Gray concurs in the judgment to the extent it affirms the trial court's judgment only. A separate opinion will not issue.)

Affirmed

Opinion delivered and filed December 8, 2010

Do not publish

[CRPM]