



IN THE
TENTH COURT OF APPEALS

No. 10-12-00016-CR

ANABERTHA ARIAS,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 13th District Court
Navarro County, Texas
Trial Court No. 29652-CR

MEMORANDUM OPINION

Anabertha Arias was convicted of Injury to a Child. TEX. PENAL CODE ANN. § 22.04 (West Supp. 2011). She was placed on community supervision and, upon the revocation of her community supervision, was sentenced to seven years in prison. She appealed. On April 12, 2012, an *Anders*¹ brief was filed by Arias' court appointed counsel. In that brief, counsel asserted that no issues of arguable merit could be presented on Arias' behalf and that the appeal was wholly frivolous. Counsel also moved to withdraw as counsel on appeal for Arias. Counsel and this Court notified

¹ *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967).

Arias of her right to file a pro se response to counsel's brief. Further, counsel provided Arias with a copy of the record. Arias responded by letter dated April 25, 2012 and requested a withdrawal of her notice of appeal.

We consider Arias' letter to be a motion to dismiss her appeal. Because counsel has already found the appeal to be frivolous and because Arias has signed her request to withdraw her notice of appeal, we find that Arias has substantially complied with the requirements of Rule 43.2 of the Texas Rules of Procedure. *See* TEX. R. APP. P. 42.2(a).

Arias' motion is granted. The appeal is dismissed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed May 23, 2012
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