



IN THE
TENTH COURT OF APPEALS

No. 10-14-00105-CR

COURTNEY ME-SHA FRANKLIN,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 12th District Court
Walker County, Texas
Trial Court No. 25,574

MEMORANDUM OPINION

Appellant Courtney Me-Sha Franklin was adjudicated guilty of the state-jail felony offense of credit card or debit card abuse by the trial court after it found “true” numerous violations of the conditions of her deferred adjudication community supervision. The trial court assessed a two-year sentence, and Appellant appealed.

Appellant’s appointed appellate counsel has 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 her right to do so, Appellant did not file a pro se response to the *Anders* brief.

In an *Anders* case, we must, “after a full examination of all the proceedings, [] decide whether the case is wholly frivolous.” *Id.* 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. We grant appointed counsel’s motion to withdraw from representation of Appellant. Notwithstanding this grant, appointed counsel **must** send Appellant a copy of our decision, notify her of her right to file a pro se petition for discretionary review, and send this Court a letter certifying counsel’s compliance with Texas Rule of Appellate Procedure 48.4. TEX. R. APP. P. 48.4; *see also Ex parte Owens*, 206 S.W.3d 670, 673-74 (Tex. Crim. App. 2006).

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
(Chief Justice Gray concurs with a note)*

Affirmed
Opinion delivered and filed December 18, 2014
Do not publish
[CR25]

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

