



IN THE
TENTH COURT OF APPEALS

No. 10-19-00261-CR

DAVID GONZALEZ-ESTRADA,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 54th District Court
McLennan County, Texas
Trial Court No. 2018-1530-C2

MEMORANDUM OPINION

David Gonzalez-Estrada was convicted of online solicitation of a minor. *See* TEX. PENAL CODE ANN. § 33.021 (West 2016). We affirm the trial court's judgment.

Gonzalez-Estrada's appointed counsel filed a motion to withdraw and an *Anders* brief in support of the motion 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 (1967). Counsel's brief evidences a professional evaluation of the record for error and

compliance with the other duties of appointed counsel. We conclude that counsel has performed the duties required of appointed counsel. See *Anders*, 386 U.S. at 744; *High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. 1978); see also *Kelly v. State*, 436 S.W.3d 313, 319-320 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403, 407 (Tex. Crim. App. 2008).

In reviewing an *Anders* appeal, we must, “after a full examination of all the proceedings, . . . decide whether the case is wholly frivolous.” *Anders*, 386 U.S. at 744; see *Penson v. Ohio*, 488 U.S. 75, 80 (1988); 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 (1988). After a review of the entire record in this appeal, we have determined the appeal to be wholly frivolous. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). Accordingly, we affirm the trial court's judgment.

Counsel's motion to withdraw from representation of Gonzalez-Estrada is granted.

JOHN E. NEILL
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill

Affirmed; motion granted

Opinion delivered and filed February 26, 2020

Do not publish

[CR25]

