

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-07-00435-CV

In the Matter of J. B.

**FROM THE COUNTY COURT AT LAW NO. 1 OF BELL COUNTY
NO. 58,234, HONORABLE EDWARD S. JOHNSON, JUDGE PRESIDING**

MEMORANDUM OPINION

After appellant J.B., who was at the time seventeen years old, pleaded true to the State's allegations in this case, the trial court adjudicated J.B. delinquent and found that he had committed the offense of aggravated assault with a deadly weapon. *See* Tex. Penal Code Ann. § 22.02 (West Supp. 2007). The court then proceeded to disposition and ordered him committed to the custody of the Texas Youth Commission for an indeterminate period of time, finding that he had at least nine referrals to the juvenile authorities in Texas, Virginia, and Florida; had already been given deferred probation in Texas; had been placed on probation in Virginia; had outstanding warrants pending in Florida; and was verbally and physically assaultive, with no sense of remorse or empathy for his victim. J.B. filed a notice of appeal from the trial court's adjudication and commitment orders. *See* Tex. Fam. Code Ann. § 56.01 (West 2002).

J.B.'s appointed appellate counsel has filed a brief asserting that the appeal is frivolous. The brief complies with the requirements for such briefs discussed in *In re D.A.S.*, 973 S.W.2d 296 (Tex. 1998), and, more generally, in *Anders v. California*, 386 U.S. 738 (1967).

Counsel states that he has carefully examined the record and researched the law applicable to the facts and issues presented. Counsel's brief contains a professional and thorough evaluation of the record and explains why there are no meritorious errors to be advanced. A copy of counsel's brief was delivered to J.B., who is now eighteen years old, and he was advised of his right to examine the appellate record and file a pro se brief. A pro se brief was not filed, and J.B. has not contacted this Court in response to the brief. We have independently reviewed the record and agree with counsel that the appeal is frivolous. We grant appellate counsel's motion to withdraw from the case and affirm the trial court's orders.

David Puryear, Justice

Before Justices Patterson, Puryear, and Henson

Affirmed

Filed: July 16, 2008