

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-09-00025-CR

Jessie Joe Rodriguez, Jr., Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF RUNNELS COUNTY, 119TH JUDICIAL DISTRICT
NO. 5484, HONORABLE BEN WOODWARD, JUDGE PRESIDING**

MEMORANDUM OPINION

On October 13, 2005, appellant Jessie Joe Rodriguez, Jr., pleaded guilty to forgery and was placed on a three-year term of deferred adjudication supervision. *See* Tex. Penal Code Ann. § 32.21 (West Supp. 2008). On October 1, 2008, a hearing was held on the State's motion to adjudicate, and appellant pleaded true to two of the four violations alleged in the motion. After hearing evidence, the district court revoked supervision, adjudged appellant guilty, and assessed a punishment of 540 days in state jail and a \$500 fine.

Appellant's court-appointed attorney has filed a motion to withdraw supported by a brief concluding that the appeal is frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967), by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *See also* *Penson v. Ohio*, 488 U.S. 75 (1988); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978); *Currie v. State*,

516 S.W.2d 684 (Tex. Crim. App. 1974); *Jackson v. State*, 485 S.W.2d 553 (Tex. Crim. App. 1972); *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969). Appellant received a copy of counsel's brief and was advised of his right to examine the appellate record and to file a pro se brief. No pro se brief has been filed.

We have reviewed the record and counsel's brief and agree that the appeal is frivolous and without merit. We find nothing in the record that might arguably support the appeal. Counsel's motion to withdraw is granted.

The judgment of conviction is affirmed.

Jan P. Patterson, Justice

Before Justices Patterson, Pemberton and Waldrop

Affirmed

Filed: July 9, 2009

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