

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-12-00104-CR

Edward Lamoyne King, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 26TH JUDICIAL DISTRICT
NO. 10-1235-K26, HONORABLE BILLY RAY STUBBLEFIELD, JUDGE PRESIDING**

MEMORANDUM OPINION

A jury found appellant Edward Lamoyne King guilty of aggravated assault with a deadly weapon. *See* Tex. Penal Code Ann. § 22.02(a)(2) (West 2011). After finding that appellant had at least two previous felony convictions, the jury assessed punishment at thirty-five years' imprisonment. *See id.* § 12.42(d) (West 2011) (enhancing punishment to life or no less than twenty-five years' imprisonment for felony conviction where defendant has previously been convicted of two sequential felonies).

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* by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *See Anders v. California*, 386 U.S. 738, 744 (1967);

Garner v. State, 300 S.W.3d 763, 766 (Tex. Crim. App. 2009); *see also Penson v. Ohio*, 488 U.S. 75, 86–87 (1988).

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. *See Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. We have not received a pro se brief from appellant.

We have conducted an independent review of the record, including appellate counsel’s brief, and find no reversible error. *See Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766; *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005). We agree with counsel that the record presents no arguably meritorious grounds for review and the appeal is frivolous.

Counsel’s motion to withdraw is granted. The judgment of conviction is affirmed.

Scott K. Field, Justice

Before Justices Puryear, Pemberton, and Field

Affirmed

Filed: March 6, 2013

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