

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-13-00706-CR**

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**Bruce Vincent Felder, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF HAYS COUNTY, 22ND JUDICIAL DISTRICT  
NO. CR-12-0739, THE HONORABLE WILLIAM R. HENRY, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Bruce Vincent Felder was convicted by a jury of criminal trespass of a habitation.<sup>1</sup> *See* Tex. Penal Code § 30.05. The trial court assessed appellant's punishment at confinement in the county jail for one year, but suspended imposition of the sentence and placed appellant on community supervision for two years. *See* Tex. Code Crim. Proc. art. 42.12, § 3.

Appellant's court-appointed attorney has filed a motion to withdraw supported by a brief concluding that the appeal in this case 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*,

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<sup>1</sup> Appellant was charged by indictment with the felony offense of burglary of a habitation with intent to commit assault. *See* Tex. Penal Code § 30.02(a)(1). However, the jury found appellant guilty of the lesser-included offense of criminal trespass of a habitation.

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, 81–82 (1988).

Appellant’s counsel has represented to this Court that he provided copies of the motion and brief to appellant along with a letter advising appellant of his right to examine the appellate record and file a pro se brief. *See Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. No pro se brief or other written response has been filed.

We have conducted an independent review of the record, including appellate counsel’s brief and the trial proceeding, 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.

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J. Woodfin Jones, Chief Justice

Before Chief Justice Jones, Justices Rose and Goodwin

Affirmed

Filed: October 8, 2014

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