

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-19-00875-CR

Preston Flores Navarro, Appellant

v.

The State of Texas, Appellee

**FROM THE 391ST DISTRICT COURT OF TOM GREEN COUNTY
NO. D-18-1183-SB, THE HONORABLE JAY K. WEATHERBY, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Preston Flores Navarro was charged with the offense of continuous sexual abuse of a child. *See* Tex. Penal Code § 21.02. After a jury found Navarro guilty of the charged offense, the trial court assessed punishment at fifty years' confinement in the Institutional Division of the Texas Department of Criminal Justice.

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* 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's counsel has represented to the Court that he has provided copies of the motion and brief to appellant; advised appellant of his right to examine the appellate record and file a pro se response; and provided appellant with a form motion for pro se

access to the appellate record along with the mailing address of this Court. *See Kelly v. State*, 436 S.W.3d 313, 319-21 (Tex. Crim. App. 2014); *see also Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. To date, appellant has not requested access to the appellate record or filed a pro se response.

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 trial court's judgment of conviction is affirmed.

Chari L. Kelly, Justice

Before Chief Justice Byrne, Justices Baker and Kelly

Affirmed

Filed: November 17, 2021

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