



**NUMBER 13-08-062-CR and 13-08-063-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**ADAM CANTU,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On appeal from the 117th District Court  
of Nueces County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Rodriguez, Garza, and Vela  
Memorandum Opinion by Justice Vela**

Appellant, Adam Cantu, was convicted of the offense of burglary in February of 2007 and sentenced to eight years' confinement in prison, probated for five years. See TEX. PENAL CODE ANN. § 30.02 (Vernon Supp. 2007). In April of 2007, Cantu pleaded guilty

to the offense of second degree robbery and was sentenced to a concurrent sentence of eight years' confinement, probated for five years. See *id.* § 29.02 (Vernon 2003). In November of 2007, the State filed a motion to revoke Cantu's probation in both cases, alleging that Cantu had violated his probation by committing a new offense, failing to report to his probation officer, failure to pay supervision fees, and failing to appear in court for a review hearing. In January of 2008, the trial court held a hearing on Cantu's motions to revoke at which time appellant pleaded "true" to the allegations. The trial court found the allegations to be "true," revoked Cantu's probation, and sentenced him to two concurrent sentences of eight years' confinement in the Institutional Division of the Texas Department of Criminal Justice. Concluding that "there are no meritorious issues for appeal," appellant's counsel filed a brief in which she reviewed the merits, or lack thereof, of the appeals. The State agrees with counsel's conclusion that there are no meritorious grounds for appeal. We affirm.

#### I. Compliance with *Anders v. California*

Appellant's court-appointed counsel filed an *Anders* brief in which she has concluded that there are no appealable issues for this Court to consider. See *Anders v. California*, 386 U.S. 738, 744 (1967). Appellant's brief meets the requirements of *Anders*. See *id.* at 744-45; see *High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. [Panel Op.] 1978). In compliance with *Anders*, following her review of the court's file and the transcripts, her research, and her correspondence with appellant, counsel presented a professional evaluation of the record, including, among other things, a review of grand jury proceedings, pre-trial motions, research and investigation, competency, sentencing, right to present evidence during the guilt/innocence and punishment stages, and right to appeal. See *Anders*, 386 U.S. at 744; *Currie v. State*, 516 S.W.2d 684, 684 (Tex. Crim. App.

1974); *see also High*, 573 S.W.2d at 812.

Counsel has informed this Court that she has reviewed the appellate records and concludes there are no arguable grounds for reversal. She has also informed this Court that she provided appellant with a copy of the transcripts in his case and notified appellant of his right to review the records and to file a pro se response to counsel's brief and motion to withdraw. *See Anders*, 386 U.S. at 744-45; *see also Stafford v. State*, 813 S.W.2d 503, 509 (Tex. Crim. App. 1991) (en banc); *High*, 573 S.W.2d at 813. More than thirty days have passed, and no pro se brief has been filed.

## II. Independent Review

The United States Supreme Court advised appellate courts that upon receiving a "frivolous appeal" brief, they must conduct "a full examination of all the proceedings to decide whether the case is wholly frivolous." *Penson v. Ohio*, 488 U.S. 75, 80 (1988); *see Ybarra v. State*, 93 S.W.3d 922, 926 (Tex. App.—Corpus Christi 2003, no pet.). Accordingly, we have carefully reviewed the records and have found nothing that would arguably support an appeal in either case. *See Bledsoe v. State*, 178 S.W.3d 824, 826 (Tex. Crim. App. 2005); *Stafford*, 813 S.W.2d at 509. We agree with counsel that the appeals are wholly frivolous and without merit. *See Bledsoe*, 178 S.W.3d at 827-28 ("Due to the nature of *Anders* briefs, by indicating in the opinion that it considered the issues raised in the briefs and reviewed the record for reversible error but found none, the court of appeals met the requirements of Texas Rule of Appellate Procedure 47.1.").

## III. Conclusion

The judgments of the trial court are affirmed. Additionally, appellant's counsel's motion to withdraw as appellate counsel is hereby granted. We order counsel to notify appellant of the disposition of his appeals and of the availability of discretionary review.

See *In re K.D., S.D., and J.R.*, 127 S.W.2d 66, 68 n.3 (Tex. App.–Houston [1st Dist.] 2003, no pet.) (citing *Ex parte Wilson*, 956 S.W.2d 25, 27 (Tex. Crim. App. 1997) (en banc) (per curiam)).

ROSE VELA  
Justice

Do not publish.  
TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered and  
filed this the 28th day of August, 2008.