

NOS. 12-07-00382-CR  
12-07-00383-CR

IN THE COURT OF APPEALS  
TWELFTH COURT OF APPEALS DISTRICT  
TYLER, TEXAS

<i>JOY DEAN NEAL, APPELLANT</i>	§	<i>APPEAL FROM THE 241ST</i>
<i>V.</i>	§	<i>JUDICIAL DISTRICT COURT OF</i>
<i>THE STATE OF TEXAS, APPELLEE</i>	§	<i>SMITH COUNTY, TEXAS</i>

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*MEMORANDUM OPINION  
PER CURIAM*

Joy Dean Neal appeals from two convictions for indecency with a child. Appellant's counsel filed a brief in compliance with *Anders v. California*, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967), and *Gainous v. State*, 436 S.W.2d 137 (Tex. Crim. App. 1969). The State waived the filing of a brief. Thereafter, Appellant filed a pro se brief. We affirm.

**BACKGROUND**

Appellant pleaded guilty in each of two cases to the second degree felony offense of indecency with a child. There was no plea agreement. Following the preparation of a presentence report and a hearing on punishment, the trial court assessed punishment at eighteen years of imprisonment for each case. These appeals followed.

**ANALYSIS PURSUANT TO ANDERS V. CALIFORNIA**

Appellant's counsel has filed a brief in compliance with *Anders* and *Gainous*. Counsel states that he has diligently reviewed the appellate record and that he is well acquainted with the facts of

this case. In compliance with *Anders*, *Gainous*, and *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978), counsel's brief presents a thorough chronological summary of the procedural history of the case and further states that counsel is unable to present any arguable issues for appeal.

Appellant filed a pro se brief in which he raised issues concerning the pretrial discovery, a polygraph examination that he now claims he wished to take, and the fact that his wife and children were not present at the trial. We have considered the briefing and have conducted our own independent review of the record. See *Anders*, 386 U.S. at 745, 87 S. Ct. at 1400; see also *Penson v. Ohio*, 488 U.S. 75, 80, 109 S. Ct. 346, 350, 102 L. Ed. 2d 300 (1988). We have found no reversible error. See *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005).

#### CONCLUSION

As required, Appellant's counsel has moved for leave to withdraw in each case. See *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). Having found no reversible error, we *affirm* the judgments of the trial court and *grant* Appellant's counsel's motions for leave to withdraw.

Opinion delivered July 9, 2008.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(DO NOT PUBLISH)