

NO. 12-11-00280-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>IN THE MATTER</i>	§	<i>APPEAL FROM THE</i>
<i>OF A.K.,</i>	§	<i>COUNTY COURT AT LAW #2</i>
<i>A JUVENILE</i>	§	<i>ANGELINA COUNTY, TEXAS</i>

***MEMORANDUM OPINION
PER CURIAM***

A.K., a juvenile, appeals the trial court's adjudication order placing her on intensive supervision probation for delinquent conduct. 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). We affirm.

BACKGROUND

On August 12, 2011, the State filed its Original Adjudication Petition alleging that Appellant engaged in delinquent conduct by committing aggravated assault with a deadly weapon against her mother. Following an adjudication hearing, the trial court found that Appellant engaged in delinquent conduct as alleged and placed Appellant on intensive supervision probation. Thereafter, Appellant reconciled with her mother and desired to be again placed in her mother's home. This appeal followed.

ANALYSIS PURSUANT TO *ANDERS V. CALIFORNIA*

Appellant's counsel filed a brief in compliance with *Anders v. California* and *Gainous v. State*. Appellant's counsel states that he has diligently reviewed the appellate record and is of the opinion that the record reflects no reversible error and that there is no error upon which an appeal

can be predicated. He further relates that he is well acquainted with the facts in this case. In compliance with *Anders, Gainous*, and *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. [Panel Op.] 1978), Appellant's brief presents a chronological summation of the procedural history of the case and further states that Appellant's counsel is unable to raise any arguable issues for appeal.¹ We have likewise reviewed the record for reversible error and have found none.

CONCLUSION

As required by *Stafford v. State*, 813 S.W.2d 503 (Tex. Crim. App. 1991), Appellant's counsel has moved for leave to withdraw. *See also In re Schulman*, 252 S.W.3d 403, 407 (Tex. Crim. App. 2008) (orig. proceeding). We carried the motion for consideration with the merits. Having done so and finding no reversible error, Appellant's counsel's motion for leave to withdraw is hereby *granted* and the appeal is *dismissed*.

As a result of our disposition of this case, Appellant's counsel has a duty to, within five days of the date of this opinion, send a copy of the opinion and judgment to Appellant and advise her of her right to file a petition for review. *See* TEX. R. APP. P. 48.4; *In re Schulman*, 252 S.W.3d at 411 n.35. Should Appellant wish to seek review of this case by the Texas Supreme Court, she must either retain an attorney to file a petition for review on her behalf or she must file a petition for review pro se. *See* TEX. FAM. CODE ANN. § 56.01(a) (West Supp. 2012). Any petition for review must be filed within forty-five days from the date of either this opinion or the last timely motion for rehearing that was overruled by this court. *See* TEX. R. APP. P. 53.7(a). Any petition for review must be filed with the Texas Supreme Court clerk. *See id.* Any petition for review should comply with the requirements of Texas Rule of Appellate Procedure 53.2.

Opinion delivered August 15, 2012.

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

(PUBLISH)

¹ Counsel for Appellant demonstrates through an exhibit appended to his brief that he provided Appellant with a copy of this brief. Appellant was given time to file her own brief in this cause. The time for filing such a brief has expired and no pro se brief in compliance with the Texas Rules of Appellate Procedure has been filed.



**COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT**

AUGUST 15, 2012

NO. 12-11-00280-CV

IN THE MATTER OF A.K., A JUVENILE

Appeal from the County Court at Law #2
of Angelina County, Texas. (Tr.Ct.No. JV-3889)

THIS CAUSE came to be heard on the appellate record and briefs filed herein, and the same being considered, it is the opinion of this court that there was no error in the judgment.

It is therefore ORDERED, ADJUDGED and DECREED that Appellant's counsel's motion to withdraw is **granted**, the judgment of the court below **be in all things affirmed**, and that this decision be certified to the court below for observance.

By *per curiam* opinion.
Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.