

**NOS. 12-21-00199-CR
12-21-00200-CR**

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***BRYCE DOUGLAS RANSONE,
APPELLANT***

§ ***APPEALS FROM THE 7TH***

V.

§ ***JUDICIAL DISTRICT COURT***

***THE STATE OF TEXAS,
APPELLEE***

§ ***SMITH COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

Bryce Douglas Ransone appeals the trial court's orders revoking his community supervision for aggravated assault with a deadly weapon and credit/debit card abuse. 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

Appellant was charged by indictment with aggravated robbery with a deadly weapon, alleged to have been committed on May 23, 2017, in Smith County, Texas.¹ Appellant reached a plea agreement with the State for two years deferred adjudication community supervision, but the trial court rejected the plea offer. While awaiting trial, Appellant was indicted for

¹ Aggravated robbery with a deadly weapon, as charged in the indictment, is a second-degree felony punishable by two to twenty years of imprisonment. See TEX. PENAL CODE ANN. § 12.33(a) (West 2019), § 22.02 (West Supp. 2021).

credit/debit card abuse, a state jail felony, alleged to have been committed on October 30, 2017 in Smith County, Texas.²

Appellant elected to waive a jury trial and enter pleas of “guilty” to both indictments without a plea bargain and have the trial court assess his punishment. After a hearing on punishment, the trial court deferred a finding of “guilt” in each case, and placed Appellant on community supervision for a period of ten years in the aggravated robbery case and five years in the credit/debit card abuse case.

Subsequently, the State filed a motion to revoke Appellant’s community supervision in each case alleging that Appellant submitted a diluted urine sample for drug testing, failed to complete anger management, and failed to satisfy his financial obligations. The court held a hearing on the State’s motion, and Appellant entered pleas of “true” to the State’s allegations. The trial court found the allegations to be “true,” proceeded to find Appellant “guilty” in each case, and assessed a ten year prison sentence in the aggravated robbery case and a nine month jail sentence in the credit/debit card case. 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 relates that she has diligently reviewed and evaluated the appellate record and found no error for our review. In compliance with *High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. [Panel Op.] 1978), counsel’s brief contains a thorough professional evaluation of the record demonstrating why there are no arguable grounds to be advanced.³

We have considered counsel’s brief and conducted our own independent review of the record. *Id.* at 811. We have found no reversible error.

² Credit/debit card abuse, as alleged in the indictment, is a state jail felony punishable by one hundred and eighty days to two years of imprisonment. *See id.* § 12.35(a) (West 2019), § 32.31(d) (West 2016).

³ In compliance with *Kelly v. State*, Appellant’s counsel provided Appellant with a copy of the brief, notified Appellant of her motion to withdraw as counsel, informed Appellant of his right to file a pro se response, and took concrete measures to facilitate Appellant’s review of the appellate record. 436 S.W.3d 313, 319 (Tex. Crim. App. 2014). Appellant was given time to file his own brief. The time for filing such a brief has expired and no pro se brief has been filed.

CONCLUSION

As required by *Anders* and *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991), Appellant's counsel 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, we agree with Appellant's counsel that the appeal is wholly frivolous. Accordingly, we **grant** counsel's motion for leave to withdraw and **affirm** the trial court's judgment.

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 him of his right to file a petition for discretionary 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 these cases by the Texas Court of Criminal Appeals, he must either retain an attorney to file a petition for discretionary review on his behalf or he must file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from the date of either this opinion or the date that the last timely motion for rehearing is overruled by this Court. *See* TEX. R. APP. P. 68.2(a). Any petition for discretionary review must be filed with the Texas Court of Criminal Appeals. *See* TEX. R. APP. P. 68.3(a). Any petition for discretionary review should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure. *See In re Schulman*, 252 S.W.3d at 408 n.22.

Opinion delivered August 17, 2022.
Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

(DO NOT PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

AUGUST 17, 2022

NO. 12-21-00199-CR

BRYCE DOUGLAS RANSONE,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 7th District Court
of Smith County, Texas (Tr.Ct.No. 007-1376-17)

THIS CAUSE came to be heard on the appellate record and brief 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 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., Hoyle, J. and Neeley, J.



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

AUGUST 17, 2022

NO. 12-21-00200-CR

BRYCE DOUGLAS RANSONE,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 7th District Court
of Smith County, Texas (Tr.Ct.No. 007-1377-18)

THIS CAUSE came to be heard on the appellate record and brief 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 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., Hoyle, J. and Neeley, J.