

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-19-00289-CR**

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**NICHOLAS CHASE CUNNINGHAM, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 9th District Court  
Montgomery County, Texas  
Trial Cause No. 19-01-00877-CR**

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**MEMORANDUM OPINION**

In an open plea, appellant Nicholas Chase Cunningham pleaded guilty to aggravated robbery and pleaded true to the enhancement paragraphs in the indictment. After conducting a sentencing hearing, the trial court assessed Cunningham's punishment at life in prison.

Cunningham's appellate counsel filed an *Anders* brief that presents counsel's professional evaluation of the record and concludes that the appeal is frivolous. *See*

*Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). On January 13, 2020, we granted an extension of time for Cunningham to file a *pro se* brief. We received no response from Cunningham.

We reviewed the appellate record, and we agree with counsel's conclusion that no arguable issues support the appeal. Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Cf. Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.<sup>1</sup>

AFFIRMED.

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STEVE McKEITHEN  
Chief Justice

Submitted on April 15, 2020  
Opinion Delivered May 13, 2020  
Do Not Publish

Before McKeithen, C.J., Kreger and Johnson, JJ.

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<sup>1</sup>Cunningham may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.