



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-20-00050-CR

MACHELLE M. HILL, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the Criminal District Court No. 1
Tarrant County, Texas
Trial Court No. 1580762D, Honorable Elizabeth Beach, Presiding

June 25, 2020

MEMORANDUM OPINION

Before **QUINN, C.J.**, and **PARKER** and **DOSS, JJ.**

Machelle M. Hill, appellant, appeals the trial court's judgment convicting her of injury to a child causing bodily injury. After accepting a guilty plea, the trial court recessed the proceedings to allow the preparation of a Pre-Sentence Investigation (PSI). The case was reconvened for a sentencing hearing wherein the State introduced, and the trial court admitted into evidence, the PSI. The only other evidence admitted at the hearing was a

witness called by appellant. Subsequently, the trial court found appellant guilty of the charged offense and sentenced her to five years in prison. Appellant filed an appeal.¹

Appellant's counsel has filed a motion to withdraw together with an *Anders*² brief. Through those documents, she certifies to the Court that, after diligently searching the record, the appeal is without merit. Accompanying the brief and motion is a copy of a letter sent by counsel to appellant informing the latter of counsel's belief that there is no reversible error and of appellant's right to file a response, *pro se*, to counsel's *Anders* brief. So too did counsel provide appellant with a copy of the clerk's and reporter's records, according to the letter. By letter dated May 5, 2020, this Court notified appellant of her right to file her own brief or response by June 4, 2020, if she wished to do so. To date, no response has been received.

In compliance with the principles enunciated in *Anders*, appellate counsel discussed potential areas for appeal. Those areas included 1) plea admonishments, 2) appellant's competency, 3) the voluntariness of her guilty plea, and 4) range of punishment. However, she then explained why the issues lacked merit. We conducted our own review of the record to assess the accuracy of counsel's conclusions and to uncover arguable error pursuant to *In re Schulman*, 252 S.W.3d 403 (Tex. Crim. App. 2008), and *Stafford v. State*, 813 S.W.2d 503, 508 (Tex. Crim. App. 1991) (en banc). No issues of arguable merit were uncovered, however.

¹ Because this appeal was transferred from the Second Court of Appeals, we are obligated to apply its precedent when available in the event of a conflict between the precedents of that court and this Court. See TEX. R. APP. P. 41.3.

² See *Anders v. California*, 386 U.S. 738, 744-45, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967).

Accordingly, the motion to withdraw is granted and the judgment is affirmed.³

Brian Quinn
Chief Justice

Do not publish.

³ Appellant has the right to file a petition for discretionary review with the Court of Criminal Appeals.