

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-19-00447-CR

CLARENCE ALVIN JONES, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 75th District Court
Liberty County, Texas
Trial Cause No. CR34267

MEMORANDUM OPINION

A grand jury indicted Clarence Alvin Jones (Jones or Appellant) for driving while intoxicated, third offense or more, a third-degree felony. *See* Tex. Penal Code Ann. §§ 49.04, 49.09(b)(2). Appellant pleaded “not guilty,” and a jury found him guilty of the offense. Appellant elected for the jury to assess punishment. The jury found both enhancement allegations to be “true” and assessed punishment at thirteen

years of confinement, and the trial court accepted the jury's verdict and sentenced Appellant accordingly. Appellant timely appealed.

On appeal, Appellant's court-appointed attorney filed a brief stating that he has reviewed the case and, based on his professional evaluation of the record and applicable law, he concluded that the appeal lacks merit and that there are no arguable grounds for reversal. *See Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). We granted an extension of time for Jones to file a pro se brief and Jones filed no response.

Upon receiving an *Anders* brief, this Court must conduct a full examination of all the proceedings to determine whether the appeal is wholly frivolous. *Person v. Ohio*, 488 U.S. 75, 80 (1988) (citing *Anders*, 386 U.S. at 744). We have reviewed the entire record and counsel's brief, and we have found nothing that would arguably support an appeal. *See Bledsoe v. State*, 178 S.W.3d 824, 827-28 (Tex. Crim. App. 2005) ("Due to the nature of *Anders* briefs, by indicating in the opinion that it considered the issues raised in the briefs and reviewed the record for reversible error but found none, the court of appeals met the requirements of Texas Rule of Appellate Procedure 47.1"). Therefore, we find it unnecessary to order appointment of new

counsel to re-brief the appeal. *Compare Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgment.¹

AFFIRMED.

LEANNE JOHNSON
Justice

Submitted on May 6, 2020
Opinion Delivered July 1, 2020
Do Not Publish

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

¹ Jones may challenge our decision in this case by filing a petition for discretionary review. *See* Tex. R. App. P. 68.