



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-19-00233-CR

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DANTE DEVAUGHN ROBERSON, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 241st District Court  
Smith County, Texas  
Trial Court No. 241-1761-18

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Before Morriss, C.J., Burgess and Stevens, JJ.  
Memorandum Opinion by Justice Burgess

## MEMORANDUM OPINION

Dante DeVaughn Roberson pled guilty pursuant to a plea agreement to intoxication manslaughter with a deadly weapon, and he was sentenced by the trial court to fifteen years' imprisonment.<sup>1</sup> The trial court gave Roberson permission to appeal.<sup>2</sup>

Roberson's appellate attorney filed a brief setting out the procedural history of the case, summarizing the evidence elicited during the course of the trial court proceedings, and concluding that the appellate record presents no arguable grounds to be raised on appeal. Counsel has filed a brief pursuant to *Anders v. California*, and she has provided a professional evaluation of the record demonstrating why there are no plausible appellate issues to be advanced. *See Anders v. California*, 386 U.S. 738, 743–44 (1967); *In re Schulman*, 252 S.W.3d 403, 406 (Tex. Crim. App. 2008) (orig. proceeding); *Stafford v. State*, 813 S.W.2d 503, 509–10 (Tex. Crim. App. 1991); *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978). Counsel also filed a motion with this Court seeking to withdraw as counsel in this appeal.

Counsel sent a copy of the brief to Roberson, provided him with a pro se motion to access the record, and advised Roberson of his right to review the record and to file a pro se response. On February 10, 2020, this Court notified Roberson that his pro se motion to access the record was due on or before February 25, 2020. On March 3, 2020, this Court informed Roberson that his pro se response was due on or before April 2, 2020. By letter dated April 14, 2020, this Court informed

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<sup>1</sup>See TEX. PENAL CODE. ANN. § 49.08(a).

<sup>2</sup>Originally appealed to the Twelfth Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV'T CODE ANN. § 73.001. We are unaware of any conflict between precedent of the Twelfth Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.

Roberson that this case had been set for submission on the briefs on May 5, 2020. Roberson did not file a pro se motion for access to the record, a pro se response, or a motion for an extension of time to file a pro se response.

We have determined that this appeal is wholly frivolous. We have reviewed the entire appellate record and have independently determined that no reversible error exists. *See Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005). In the *Anders* context, once we determine that the appeal is without merit, we must affirm the trial court’s judgment. *Id.*

We affirm the trial court’s judgment.<sup>3</sup>

Ralph K. Burgess  
Justice

Date Submitted: June 15, 2020  
Date Decided: June 23, 2020

Do Not Publish

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<sup>3</sup>Since we agree that this case presents no reversible error, we also, in accordance with *Anders*, grant counsel’s request to withdraw from further representation of appellant in this case. *See Anders*, 386 U.S. at 744. No substitute counsel will be appointed. Should appellant desire to seek further review of this case by the Texas Court of Criminal Appeals, appellant must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review (1) must be filed within thirty days from either the date of this opinion or the date on which the last timely motion for rehearing was overruled by this Court, *see* TEX. R. APP. P. 68.2, (2) must be filed with the clerk of the Texas Court of Criminal Appeals, *see* TEX. R. APP. P. 68.3, and (3) should comply with the requirements of Rule 68.4 of the Texas Rules of Appellate Procedure, *see* TEX. R. APP. P. 68.4.