

AFFIRMED and Opinion Filed June 16, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

**No. 05-19-01038-CR
No. 05-19-01039-CR**

**GEORGE ALBERTO CONTRERAS, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the Criminal District Court No. 1
Dallas County, Texas
Trial Court Cause Nos. F18-11850-H and F18-11851-H**

MEMORANDUM OPINION

**Before Justices Bridges, Pedersen, III, and Evans
Opinion by Justice Evans**

After entering an open plea of guilty to both offenses in the trial court, George Alberto Contreras now appeals his conviction in trial court cause number F18-11851-H for unlawful possession of a firearm by a felon and the deferred adjudication order in trial court cause number F18-11850-H for unlawful possession of a controlled substance with intent to manufacture/deliver in an amount of four

grams or more but less than 200 grams.¹ The trial court sentenced appellant to twenty-five years' imprisonment in the firearm case and placed appellant on community supervision for ten years in the controlled substance case, to be served concurrently.

On appeal, the attorney appointed to represent appellant filed a motion to withdraw from the representation, supported by a brief in which she concludes the appeals are wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738 (1967). The brief presents a professional evaluation of the record demonstrating why there are no arguable grounds to advance. *See High v. State*, 573 S.W.2d 807, 812 (Tex. Crim. App. [Panel Op.]1978 (evaluating whether brief meets *Anders* requirements). In a letter dated December 6, 2019, we advised appellant of his right to file a pro se response by January 24, 2020, but he has not filed a response. *See Kelly v. State*, 436 S.W.3d 313, 319–21 (Tex. Crim. App. 2014) (appellant has right to file pro se response to *Anders* brief).

As the reviewing court, we must conduct an independent evaluation of the record to determine whether counsel is correct in concluding that an appeal is frivolous. *See Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). After reviewing the appellate record and counsel's brief, we agree the appeals are frivolous

¹ The indictment charging appellant with the controlled substance offense contained an enhancement paragraph alleging the use of a deadly weapon and enhancement paragraphs alleging two prior felony convictions.

and without merit, and we find nothing in the record that might arguably support the appeals.

We grant counsel's motion to withdraw and affirm the trial court's judgment in trial court cause number F18-11851-H and its deferred adjudication order in trial court cause number F18-11850-H.

/David Evans/

DAVID EVANS
JUSTICE

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TEX. R. APP. P. 47
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

GEORGE ALBERTO
CONTRERAS, Appellant

No. 05-19-01038-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District
Court No. 1, Dallas County, Texas
Trial Court Cause No. F18-11850-H.
Opinion delivered by Justice Evans,
Justices Bridges and Pedersen, III
participating.

Based on the Court's opinion of this date, the trial court's Order of Deferred Adjudication is **AFFIRMED**.

Judgment entered June 16, 2020



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

GEORGE ALBERTO
CONTRERAS, Appellant

No. 05-19-01039-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District
Court No. 1, Dallas County, Texas
Trial Court Cause No. F18-11851-H.
Opinion delivered by Justice Evans,
Justices Bridges and Pedersen, III
participating.

Based on the Court's opinion of this date, the judgment of the trial court is
AFFIRMED.

Judgment entered June 16, 2020