

**AFFIRM; Opinion Filed July 14, 2020**



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

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**No. 05-19-00299-CR**

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**KENNETH ALLEMAN MIDGLEY, II, Appellant  
V.  
THE STATE OF TEXAS, Appellee**

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**On Appeal from the 366th Judicial District Court  
Collin County, Texas  
Trial Court Cause No. 366-82836-2017**

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**MEMORANDUM OPINION**

Before Justices Schenck, Molberg, and Nowell  
Opinion by Justice Schenck

Kenneth Alleman Midgley, II appeals from his conviction for murder. Appellant entered an open plea of guilty, and the trial court assessed punishment at life imprisonment. On appeal, appellant's attorney filed a brief in which she concludes the appeal is 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 showing why, in effect, there are no arguable grounds to advance. *See High v. State*, 573 S.W.2d 807, 811 (Tex. Crim. App. [Panel Op.] 1978). Counsel delivered a copy of the brief to appellant.

Appellant filed a pro se response raising several issues. A court of appeals is not required to address the merits of claims raised in a pro se response. *See Bledsoe v. State*, 178 S.W.3d 824, 827 (Tex. Crim. App. 2005) (explaining appellate court's duty in *Anders* cases). Rather, the Court's duty is to determine whether there are any arguable issues, and, if so, to remand the case to the trial court so that new counsel may be appointed to address those issues. *Id.*

After reviewing counsel's brief, appellant's pro se response, and the record, we agree the appeal is frivolous and without merit. We find nothing in the record that might arguably support the appeal.

We affirm the trial court's judgment.

/David J. Schenck/

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DAVID J. SCHENCK  
JUSTICE

DO NOT PUBLISH  
Tex. R. App. P. 47  
190299F.U05



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

**JUDGMENT**

KENNETH ALLEMAN MIDGLEY,  
II, Appellant

No. 05-19-00299-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the 366th Judicial  
District Court, Collin County, Texas  
Trial Court Cause No. 366-82836-  
2017.

Opinion delivered by Justice  
Schenck. Justices Molberg and  
Nowell participating.

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

Judgment entered this 14th day of July, 2020.