Affirmed and Opinion filed January 4, 2001.

In The

Fourteenth Court of Appeals

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NO. 14-99-01392-CR

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THOMAS MORGAN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 182nd District Court
Harris County, Texas
Trial Court Cause No. 797,309

O P I N I O N

In cause number 797309, appellant entered a plea of guilty to the felony offense of aggregate theft. Pursuant to a plea bargain agreement, the court sentenced appellant to two years in the state jail facility, probated for five years, and a five hundred dollar fine. Subsequently, the State filed a motion to revoke probation alleging appellant committed two new offenses of sexual assault of a child (cause numbers 809762 and 809763). Appellant entered a plea of true to the allegations in the motion to revoke, without an agreed recommendation on punishment from the State. The court revoked appellant's probation and assessed punishment at confinement for two years in the State Jail Division of the Texas Department of Criminal Justice.

Appellant's appointed counsel filed a motion to withdraw from representation of appellant along

with a single supporting brief in which he concludes that the appeal in each of appellant's three cases is wholly frivolous and without merit. The brief as it relates to the instant case meets the requirements of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *See High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978).[1]

A copy of counsel's brief was delivered to appellant. Appellant was advised of the right to examine the appellate record and to file a *pro se* response. Appellant has filed a *pro se* response in which he raises arguable grounds of error in the companion sexual assault cases. However, none of his arguable grounds relate to the present aggregate theft case.

We have carefully reviewed the record and counsel's brief and agree that the appeal is wholly frivolous and without merit. Further, we find no reversible error in the record. A discussion of the brief would add nothing to the jurisprudence of the State.

Accordingly, the judgment of the trial court is affirmed and the motion to withdraw is granted.

PER CURIAM

Judgment rendered and Opinion filed January 4, 2001.
Panel consists of Justices Yates, Wittig, and Frost.
Do Not Publish — TEX. R. APP. P. 47.3(b).

[1] In each of appellant's companion cases, cause numbers 14-99-01393 (trial court number 809763) and 14-99-01394 (trial court number 809762), today we issue an order abating the appeal and directing the trial court to appoint new appellate counsel. We find that the appeal in those cases is not wholly frivolous and conclude appellant's *pro se* response, as it relates to the sexual assault cases, presents at least an arguable ground for review.