Affirmed and Opinion filed October 25, 2001.

In The

Fourteenth Court of Appeals

NO. 14-99-00860-CR

WILLIAM NEIL CLARK, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 338th District Court
Harris County, Texas
Trial Court Cause No. 724,409

O P I N I O N

Appellant was charged by indictment with the felony offense of intoxication assault. Appellant waived his right to trial by jury and entered a plea of guilty. The trial court sentenced appellant to a seven-year probated sentence in accordance with a plea agreement. Subsequently, the State filed a Motion to Revoke Probation. Appellant entered a plea of true to the allegations in the State's motion with an agreed recommendation from the State on punishment. In accordance with the plea agreement, the court assessed punishment at

confinement in the Institutional Division of the Texas Department of Criminal Justice for a term of four years.

Appellant's court-appointed attorney filed a motion to withdraw from representation of appellant along with a supporting brief in which he concludes that the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). The brief presents a professional evaluation of the record demonstrating why there are no arguable points of error to be advanced. *See High v. State*, 573 S.W.2d 807, 811 (Tex. Crim. App. 1978).

A copy of counsel's brief was delivered to appellant. Appellant was advised of his right to examine the appellate record and to file a *pro se* response. The record was forwarded to appellant on March 27, 2000. This Court issued an opinion on April 20, 2000. Appellant filed a pro se motion for rehearing, claiming that he had not yet received the record and that he intended to file a response to the *Anders* brief filed by counsel. We granted appellant's motion, withdrew our opinion of April 20, 2000, and ordered appellant to file his *pro se* response 30 days after he received the record. Appellant requested and was granted an extension to file his *pro se* response until July 19, 2000. No further extensions were requested and no *pro se* response was filed.

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.

PER CURIAM

Judgment rendered and Opinion filed October 25, 2001.
Panel consists of Justices Anderson, Hudson, and Frost.
Do Not Publish — TEX. R. APP. P. 47.3(b).