

**Affirmed and Opinion filed October 26, 2000.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-00-00433-CR**  
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**DEREK ELISHA CLARK, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 240<sup>th</sup> District Court-Impact Court One  
Fort Bend County, Texas  
Trial Court Cause No. 24,995**

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**OPINION**

Appellant entered a plea of guilty to the felony offense of possession of less than twenty-eight grams of cocaine. The court deferred adjudication of guilt and placed appellant on deferred adjudication probation for two years in accordance with a plea bargain agreement. Subsequently, the State filed a motion to adjudicate guilt. Upon appellant's plea of true, the court adjudicated appellant's guilt and assessed punishment without an agreed recommendation from the State at confinement for five years in the Institutional Division of the Texas Department of Criminal Justice.

Appellant's appointed counsel 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), 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).

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. As of this date, no *pro se* response has been 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 and the motion to withdraw is granted.

PER CURIAM

Judgment rendered and Opinion filed October 26, 2000.

Panel consists of Chief Justice Murphy and Justices Amidei and Hudson.

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