

ANDERS CHECKLIST

You are strongly encouraged to complete and include in your *Anders* brief the court’s *Anders* checklist to ensure compliance with *Anders* and to assist the court in conducting its examination of the record. Provide citations to the record and to relevant authority, where appropriate, in the right hand column to demonstrate compliance by the trial court and/or parties.

ALL CASES	
I. The Record	
(1) record is complete	
(2) certification of right to appeal	
(3) appellate jurisdiction	
(4) clerical errors in the judgment	
GUILTY PLEA — TEX. CODE CRIM. PROC. ANN. ART. 26.13	
I. Admonishments	
(1) range of punishment	
(2) recommendation of the prosecuting attorney as to punishment is not binding on the court.	
(3) in plea agreement, the trial court must give its permission to the defendant before the defendant may prosecute an appeal on any matter in the case except for those matters raised by written motions filed prior to trial;	
(4) consequences of non-citizenship, <i>see Padilla v. Kentucky</i> , 130 S. Ct. 1473 (2010)	
(5) sex offender registration requirements	
II. Pretrial	
(1) sufficiency of the indictment	
(2) any adverse pretrial rulings	
III. Acceptance of plea	
(1) jury trial waiver	
(2) defendant is mentally competent	
(3) plea is free and voluntary	
IV. Punishment	
(1) adverse rulings regarding evidence or other issues	
(2) calculation and reasonableness of sentence	
V. Effective Assistance of Counsel	
(1) Whether the record reflects any arguable claim for ineffective assistance of counsel	

JURY OR BENCH TRIAL ON PLEA OF NOT GUILTY	
I. Pretrial	
(1) sufficiency of the indictment	
(2) any adverse pretrial rulings	
II. Trial	
(1) jury selection, if applicable	
(2) any adverse rulings during trial on objections or motions (for both guilt-innocence phase and punishment phase)	
(3) sufficiency of the evidence, which would include recitation of elements and evidence adduced at trial	
(4) jury instructions, if applicable	
(5) any error not objected to that may rise to the level of fundamental error	
(6) effectiveness of counsel and whether any ineffective assistance is reflected in the record	
III. Post-trial	
(1) any adverse rulings on post-trial motions	
(2) calculation and reasonableness of sentence	
REVOCAION OF COMMUNITY SUPERVISION/ADJ OF GUILT	
(1) the charging instrument	
(2) appeals from community supervision in general	
(3) adequate notice of violations sufficient to satisfy due process	
(4) voluntariness of plea and effect of plea to alleged violations	
(5) sufficiency of evidence of alleged violations	
(6) whether trial court abused its discretion in revoking community supervision or adjudicating appellant guilty	
(7) accuracy and legality of judgment and punishment assessed	
(8) effectiveness of counsel and whether any ineffective assistance is reflected in the record	