

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Tydran Provo v. The State of Texas

No. 07-25-00309-CR · No. No. 07-25-00309-CR · Decided February 18, 2026

SUMMARY

The Seventh Court of Appeals of Texas reviewed an Anders appeal from a judgment adjudicating Tydran Provo guilty of disclosing or threatening to disclose intimate visual material. The court granted appointed counsel’s motion to withdraw, affirmed the judgment, and modified the bill of costs by deleting a \$15 time-payment fee and \$680 in court-appointed attorney’s fees. The opinion was designated not for publication.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Judy C. Parker, Chief Justice; Parker, C.J.; Doss, J.; Yarbrough, J.
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	February 18, 2026
DOCKET	No. 07-25-00309-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment adjudicating guilt after the trial court found true allegations that appellant violated conditions of deferred-adjudication community supervision. Appointed appellate counsel filed an Anders motion to withdraw and brief.
STANDARD OF REVIEW	In an Anders appeal, the appellate court independently examines the record for arguable, preserved, non-frivolous grounds for reversal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Tydran Provo v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- remedies
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the Anders record contained any preserved, non-frivolous issue warranting reversal of the judgment adjudicating guilt or sentence.
2. Whether the judgment and bill of costs should be modified to delete a prematurely assessed \$15 time-payment fee.
3. Whether the assessment of \$680 in court-appointed attorney's fees should be deleted because appellant was indigent and the trial court made no express finding of a material change in financial circumstances.

HOLDINGS

1. After independently examining the record and counsel's Anders brief, the court found no preserved, non-frivolous ground that would support reversal of appellant's conviction or sentence.
2. A \$15 time-payment fee assessed while the appeal remained pending was premature and had to be deleted from the bill of costs.
3. The \$680 assessment of court-appointed attorney's fees had to be deleted because appellant was indigent and the trial court did not expressly find a material change in his financial circumstances.

KEY QUOTATIONS

“must indeed be struck for being prematurely assessed because a defendant’s appeal suspends the duty to pay court costs and therefore suspends the running of the clock for the purposes of the time payment fee.” (at 3)

“As a consequence, even now, assessment of the time payment fee in this case would be premature because appellate proceedings are still pending.” (at 3)

FACTUAL BACKGROUND

In June 2024, Tydran Provo pleaded guilty to disclosing or threatening to disclose intimate visual material, a state jail felony. The trial court deferred adjudication and placed him on five years of community supervision. In 2025, the State alleged that Provo violated four supervision conditions, and he pleaded true to all allegations. The trial court adjudicated him guilty and imposed twelve months' confinement; the appellate record also contained a \$15 time-payment fee and \$680 in court-appointed attorney's fees.

PROCEDURAL HISTORY

Appellant pleaded guilty to disclosing or threatening to disclose intimate visual material. The trial court deferred adjudication and placed him on five years of community supervision. After the State filed a petition to proceed to adjudication, appellant pleaded true to four alleged supervision violations; the trial court adjudicated him guilty and sentenced him to twelve months' confinement. On appeal, the court independently reviewed the record, granted counsel's Anders motion to withdraw, modified the judgment to delete specified costs, and affirmed as modified.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The judgment was modified to delete the \$15 time-payment fee and \$680 in court-appointed attorney's fees. The judgment was then affirmed as modified. Appointed counsel was directed to send appellant the opinion and judgment and notify him of his right to file a pro se petition for discretionary review within five days after the opinion was handed down.

CASES CITED

- Anders v. California, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967)
- In re Schulman, 252 S.W.3d 403, 406, 409, 411 n.33 (Tex. Crim. App. 2008)
- High v. State, 573 S.W.2d 807, 813 (Tex. Crim. App. [Panel Op.] 1978)
- Kelly v. State, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014)
- Penson v. Ohio, 488 U.S. 75, 80 (1988)
- Gainous v. State, 436 S.W.2d 137, 138 (Tex. Crim. App. 1969)
- Dulin v. State, 620 S.W.3d 129, 129 (Tex. Crim. App. 2021)
- Woodard v. State, No. 07-23-00377-CR, 2024 Tex. App. LEXIS 4642, at *9-10 (Tex. App.—Amarillo July 2, 2024, no pet.) (mem. op., not designated for publication)