

COURT OF APPEALS OF TEXAS, TWELFTH COURT OF APPEALS DISTRICT

Miranda West v. State

No. 12-22-00085-CR · No. 12-22-00085-CR · Decided November 17, 2022

SUMMARY

The Texas Twelfth Court of Appeals affirmed Miranda West’s conviction for aggravated assault after revoking her deferred adjudication community supervision and sentencing her to seven years’ imprisonment. In an Anders review, the court found no reversible error, granted appointed counsel’s motion to withdraw, and affirmed the trial court’s judgment.

CASE DETAILS

COURT	Court of Appeals of Texas, Twelfth Court of Appeals District
WRITING FOR THE COURT	Per curiam; Chief Justice Worthen; Justice Hoyle; Justice Neeley
JURISDICTION	Texas
DECIDED	November 17, 2022
DOCKET	12-22-00085-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the revocation of deferred adjudication community supervision, adjudication of guilt for aggravated assault, and a seven-year prison sentence. Appellant’s appointed counsel filed an Anders brief, and Appellant filed a pro se response.
STANDARD OF REVIEW	The court conducted an independent review of the record for reversible error under the Anders procedure.
PRECEDENTIAL VALUE	Nonprecedential; do not publish
PARTIES	Miranda West v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- probation
- right to counsel

PRACTICE AREAS

- criminal appellate procedure
- Anders appeals
- deferred adjudication community supervision
- aggravated assault

QUESTIONS PRESENTED

1. Whether the record contained any reversible error requiring reversal of West's conviction or sentence under the Anders review procedure.
2. Whether appointed appellate counsel should be permitted to withdraw after filing an Anders brief and complying with the required procedures.

HOLDINGS

1. After independently reviewing the record in accordance with the Anders procedure, the court found no reversible error and affirmed the trial court's judgment.
2. The court granted appointed counsel's motion for leave to withdraw after determining that counsel complied with the Anders-related requirements and that no reversible error existed.

KEY QUOTATIONS

"We have reviewed the record for reversible error and have found none."

"Having done so and finding no reversible error, Appellant's counsel's motion for leave to withdraw is hereby granted, and the trial court's judgment is affirmed."

FACTUAL BACKGROUND

West was indicted for aggravated assault by causing bodily injury with a knife, a deadly weapon. She pleaded guilty under an agreed punishment cap of seven years, and the trial court deferred adjudication and imposed ten years of community supervision. The State later alleged that she failed to report during several months and tested positive for cocaine; West pleaded true to those violations. The trial court revoked supervision, adjudicated her guilty, and imposed seven years' imprisonment.

PROCEDURAL HISTORY

West pleaded guilty to aggravated assault involving a knife. The trial court deferred adjudication and placed her on ten years of community supervision. After the State alleged violations involving failures to report and a positive cocaine test, West pleaded true to those allegations; the trial court revoked community supervision, adjudicated her guilty, and sentenced her to seven years' imprisonment. The Twelfth Court of Appeals reviewed the record under Anders and affirmed, while granting counsel's motion to withdraw.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967)
- Gainous v. State, 436 S.W.2d 137 (Tex. Crim. App. 1969)
- High v. State, 573 S.W.2d 807, 812 (Tex. Crim. App. 1978)
- Kelly v. State, 436 S.W.3d 313, 319 (Tex. Crim. App. 2014)

- Bledsoe v. State, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005)
- Stafford v. State, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- In re Schulman, 252 S.W.3d 403, 407 (Tex. Crim. App. 2008) (orig. proceeding)
- In re Schulman, 22 S.W.3d 403, 408 n.22, 411 n.35

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