

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS

Gerardo Amador Reyes v. The State of Texas

Reyes · No. 13-25-00607-CR, 13-25-00608-CR, 13-25-00609-CR · Decided April 30, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas reviewed three appeals from the revocation of Gerardo Amador Reyes’s community supervision. The court determined, after independently reviewing the record and Anders briefs, that there were no arguable grounds for appeal, granted counsel’s motions to withdraw, and affirmed the trial court’s judgments. The opinion is designated not for publication.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas
WRITING FOR THE COURT	Justice Jenny Cron; Chief Justice Tijerina; Justice West; Justice Cron
JURISDICTION	Court of Appeals for the Thirteenth District of Texas
DECIDED	April 30, 2026
DOCKET	13-25-00607-CR, 13-25-00608-CR, 13-25-00609-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from judgments revoking community supervision, adjudicating appellant guilty of three underlying offenses, and sentencing him to concurrent eight-year prison terms; appointed appellate counsel filed Anders briefs and motions to withdraw.
STANDARD OF REVIEW	Upon receipt of an Anders brief, the appellate court must conduct a full examination of the proceedings to determine whether the appeal is wholly frivolous and whether any reversible error exists.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Gerardo Amador Reyes v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- probation
- standard of review

PRACTICE AREAS

- criminal procedure
- appellate procedure
- community supervision revocation

QUESTIONS PRESENTED

1. Whether independent review of the records disclosed any nonfrivolous or reversible issue after appointed counsel filed Anders briefs.
2. Whether appointed appellate counsel should be permitted to withdraw after complying with Anders and Texas requirements.

HOLDINGS

1. The court found no issue that would arguably support an appeal and no reversible error in the trial court's judgments.
2. The court granted appointed counsel's motions to withdraw and ordered counsel to provide Reyes with the opinion and judgments and advise him of his right to seek discretionary review.

KEY QUOTATIONS

“Upon receiving an Anders brief, we must conduct a full examination of all the proceedings to determine whether the case is wholly frivolous.” (3)

“We have reviewed the record and counsel’s briefs, and we have found nothing that would arguably support an appeal.” (3)

FACTUAL BACKGROUND

Reyes pleaded guilty to evading arrest or detention with a motor vehicle, assault on a public servant, and stalking. He was placed on eight years of community supervision in each case. The State later alleged multiple supervision violations, and following a contested hearing the trial court found the allegations true, revoked supervision, adjudicated Reyes guilty, and sentenced him to concurrent eight-year prison terms.

PROCEDURAL HISTORY

Reyes pleaded guilty in three separate cases to evading arrest or detention with a motor vehicle, assault on a public servant, and stalking, and received eight years of community supervision in each case. The State moved to revoke supervision, alleging violations in each case. After a contested hearing, the trial court found the allegations true, revoked supervision, adjudicated Reyes guilty, imposed concurrent eight-year prison sentences, and entered judgments. The court of appeals independently reviewed the records, granted counsel's motions to withdraw, and affirmed.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738, 744 (1967)
- In re Schulman, 252 S.W.3d 403, 406 n.9, 408–09, 408 n.17, 411 n.35 (Tex. Crim. App. 2008) (orig. proceeding)

- Hawkins v. State, 112 S.W.3d 340, 343–44 (Tex. App.—Corpus Christi–Edinburg 2003, no pet.)
- Stafford v. State, 813 S.W.2d 503, 510 n.3, 511 (Tex. Crim. App. 1991)
- High v. State, 573 S.W.2d 807, 813 (Tex. Crim. App. [Panel Op.] 1978)
- Kelly v. State, 436 S.W.3d 313, 319–22 (Tex. Crim. App. 2014)
- Penson v. Ohio, 488 U.S. 75, 80 (1988)
- Bledsoe v. State, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005)
- Ex parte Owens, 206 S.W.3d 670, 673 (Tex. Crim. App. 2006)

OPINION

Gerardo Amador Reyes v. the State of Texas

PER CURIAM.

NUMBERS 13-25-00607-CR, 13-25-00608-CR,
13-25-00609-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

GERARDO AMADOR REYES, Appellant, v. THE STATE OF TEXAS, Appellee.

ON APPEAL FROM THE 148TH DISTRICT COURT

OF NUECES COUNTY, TEXAS

MEMORANDUM OPINION

Before Chief Justice Tijerina and Justices West and Cron Memorandum Opinion by Justice Cron

In the first case, trial court number 25FC-0535E, appellate number 13-25-00607- CR, appellant Gerardo Amador Reyes was accused of evading arrest or detention with a motor vehicle, a third degree felony. See TEX. PENAL CODE § 38.04(b)(2)(A). In the second case, trial court number 25FC-2899E, appellate number 13-25-00608-CR, appellant was accused of assault on a public servant, a third degree felony. See *id.* § 22.01(b)(1). In the third case, trial court number 25FC-4331E, appellate number 13-25-00609-CR, appellant was accused of stalking, a third degree felony. See *id.* § 42.072(b). In separate agreements, appellant pleaded guilty to each offense and was placed on community supervision for eight years. See TEX. CODE CRIM. PROC. arts. 42A.101(a), 42A.103. The State subsequently filed a motion to revoke in all three cases. In the first and second case, the State alleged that appellant committed two violations of his community supervision. See *id.* arts. 42A.104(a), 42A.108(a). In the third case, the State alleged appellant committed four violations of his community supervision. See *id.* arts. 42A.104(a), 42A.108(a). After a contested hearing on all three motions, the trial court found all of the allegations to be “true.” See *id.* art. 42A.108(b). In each case, the trial court revoked appellant’s supervision; adjudicated him guilty of the underlying offense; sentenced him to eight years’ imprisonment; and ordered the sentence to run concurrently with the other sentences. See *id.* arts. 42A.108(b), 42A.110. Appellant’s court-appointed counsel has filed an Anders brief stating that there are no

arguable grounds for appeal. See *Anders v. California*, 386 U.S. 738, 744 (1967). We affirm the trial court’s judgments.

I. ANDERS BRIEF

Pursuant to *Anders v. California*, appellant’s court-appointed appellate counsel filed a brief and a motion to withdraw with this Court in each case, stating that her review of the record yielded no grounds of reversible error upon which an appeal could be predicated. See *id.* Counsel’s briefs meet the requirements of *Anders* as they present a professional evaluation demonstrating why there are no arguable grounds to advance on 2 appeal. See *In re Schulman*, 252 S.W.3d 403, 406 n.9 (Tex. Crim. App. 2008) (orig. proceeding) (“In Texas, an *Anders* brief need not specifically advance ‘arguable’ points of error if counsel finds none, but it must provide record references to the facts and procedural history and set out pertinent legal authorities.” (citing *Hawkins v. State*, 112 S.W.3d 340, 343–44 (Tex. App.—Corpus Christi–Edinburg 2003, no pet.))); *Stafford v. State*, 813 S.W.2d 503, 510 n.3 (Tex. Crim. App. 1991). In compliance with *High v. State*, 573 S.W.2d 807, 813 (Tex. Crim. App. [Panel Op.] 1978) and *Kelly v. State*, 436 S.W.3d 313, 319–22 (Tex. Crim. App. 2014), appellant’s counsel carefully discussed why, under controlling authority, there is no reversible error in the trial court’s judgments. Appellant’s counsel also informed this Court in writing that in each case she: (1) notified appellant that counsel has filed an *Anders* brief and a motion to withdraw; (2) provided appellant with copies of both pleadings; (3) informed appellant of his rights to file pro se response, to review the record prior to filing that response, and to seek discretionary review if we conclude that the appeal is frivolous; and (4) provided appellant with a form motion for pro se access to the appellate record. See *Anders*, 386 U.S. at 744; *Kelly*, 436 S.W.3d at 319–20; see also *In re Schulman*, 252 S.W.3d at 408–09. In these cases, despite the passage of ample time, appellant filed neither a timely motion seeking pro se access to the appellate record nor a motion for extension of time to do so. Appellant did not file a pro se response.

II. INDEPENDENT REVIEW

Upon receiving an *Anders* brief, we must conduct a full examination of all the proceedings to determine whether the case is wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988). We have reviewed the record and counsel’s briefs, and we have found 3 nothing that would arguably support an appeal. See *Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005) (“Due to the nature of *Anders* briefs, by indicating in the opinion that it considered the issues raised in the briefs and reviewed the record for reversible error but found none, the court of appeals met the requirements of Texas Rule of Appellate Procedure 47.1.”); *Stafford*, 813 S.W.2d at 511.

III. MOTION TO WITHDRAW

In accordance with *Anders*, appellant’s counsel has asked this Court for permission to withdraw as counsel in each case. See *Anders*, 386 U.S. at 744; see also *In re Schulman*, 252 S.W.3d at 408 n.17. We grant counsel’s motions to withdraw. Within five days from the date of this Court’s opinion, counsel is ordered to send a copy of this opinion and this Court’s judgments to appellant

and to advise him of his right to file a petition for discretionary review. 1 See TEX. R. APP. P. 48.4; see also *In re Schulman*, 252 S.W.3d at 411 n.35; *Ex parte Owens*, 206 S.W.3d 670, 673 (Tex. Crim. App. 2006). 1 No substitute counsel will be appointed. Should appellant wish to seek further review of this case by the Texas Court of Criminal Appeals, he must either retain an attorney to file a petition for discretionary review or file a pro se petition for discretionary review. Any petition for discretionary review must be filed within thirty days from the date of either this opinion or the last timely motion for rehearing or timely motion for en banc reconsideration that was overruled by this Court. See TEX. R. APP. P. 68.2. Any petition for discretionary review must be filed with the Clerk of the Texas Court of Criminal Appeals. See *id.* R. 68.3. Any petition for discretionary review should comply with the requirements of Texas Rule of Appellate Procedure 68.4. See *id.* R. 68.4. 4

IV. CONCLUSION

We affirm the trial court's judgments.

JENNY CRON

Justice Do not publish. TEX. R. APP. P. 47.2 (b). Delivered and filed on the 30th day of April, 2026. 5