

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT, CORPUS  
CHRISTI–EDINBURG

Marcus Andretti Shade v. The State of Texas

No. 13-25-00591-CR · No. 13-25-00591-CR · Decided April 30, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas reviewed an Anders appeal from the adjudication of guilt for evading arrest or detention with a vehicle. The court conducted an independent review, found no arguable reversible error, granted appointed counsel’s motion to withdraw, and affirmed the trial court’s judgment imposing a twenty-year sentence.

CASE DETAILS

|                       |                                                                                                                                                                                                                           |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals of Texas, Thirteenth District, Corpus Christi–Edinburg                                                                                                                                                   |
| WRITING FOR THE COURT | Ysmael D. Fonseca; Justice Silva; Justice Peña; Justice Fonseca                                                                                                                                                           |
| JURISDICTION          | Texas Court of Appeals, Thirteenth District                                                                                                                                                                               |
| DECIDED               | April 30, 2026                                                                                                                                                                                                            |
| DOCKET                | 13-25-00591-CR                                                                                                                                                                                                            |
| DISPOSITION           | affirmed                                                                                                                                                                                                                  |
| PROCEDURAL POSTURE    | Anders appeal from an order adjudicating appellant guilty after deferred adjudication community supervision was revoked and sentencing him to twenty years' imprisonment.                                                 |
| STANDARD OF REVIEW    | On receipt of an Anders brief, the appellate court conducts a full examination of all proceedings to determine whether the appeal is wholly frivolous and independently reviews the record for arguable reversible error. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                           |
| PARTIES               | Marcus Andretti Shade v. The State of Texas                                                                                                                                                                               |

TOPICS

- appellate procedure
- criminal procedure
- standard of review

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether appointed appellate counsel's Anders brief satisfied the applicable procedural requirements.
2. Whether independent review of the record disclosed any arguable reversible error in the adjudication of guilt or the twenty-year sentence.
3. Whether appointed appellate counsel's motion to withdraw should be granted.

## HOLDINGS

1. The Anders brief satisfied the applicable requirements because counsel provided a thorough and professional evaluation of the record, explained why there were no arguable grounds for appeal, and fulfilled the required notice and record-access obligations to appellant.
2. After independently reviewing the record, counsel's brief, and Shade's pro se response, the court found no arguable reversible error and affirmed the trial court's judgment.
3. The court granted appointed appellate counsel's motion to withdraw after determining that the appeal was frivolous under the Anders procedure.

## KEY QUOTATIONS

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

*“The trial court’s judgment is affirmed.”* (at 4)

## FACTUAL BACKGROUND

Shade was charged with evading arrest or detention with a vehicle, a third-degree felony, and a court-appointed psychologist found him competent to stand trial and legally sane at the time of the offense. He pleaded guilty pursuant to an agreement, pleaded true to a felony enhancement, and received deferred adjudication with ten years of community supervision. After the State alleged multiple supervision violations in a second motion, Shade signed a stipulation and judicial confession admitting all alleged violations. The trial court adjudicated him guilty and sentenced him to twenty years' imprisonment.

## PROCEDURAL HISTORY

Shade pleaded guilty to evading arrest or detention with a vehicle and pleaded true to a felony enhancement allegation. The trial court deferred adjudication and placed him on ten years' community supervision, later continued supervision after the State's first motion to adjudicate. After Shade stipulated to the violations alleged in the State's second motion, the trial court adjudicated him guilty and imposed a twenty-year sentence. Appointed appellate counsel filed an Anders brief and a motion to withdraw, and Shade filed a pro se response. The court of appeals independently reviewed the record, found no arguable reversible error, affirmed, and granted counsel's motion to withdraw.

## DISPOSITION

affirmed

#### CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- High v. State, 573 S.W.2d 807, 813 (Tex. Crim. App. [Panel 2 Op.] 1978)
- In re Schulman, 252 S.W.3d 403, 406 n.9, 408 n.17, 412 n.35 (Tex. Crim. App. 2008) (orig. proceeding)
- Stafford v. State, 813 S.W.2d 503, 509–10 & n.3 (Tex. Crim. App. 1991)
- Kelly v. State, 436 S.W.3d 313, 319–20 (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)
- Jeffery v. State, 903 S.W.2d 776, 779–80 (Tex. App.—Dallas 1995, no pet.)
- Ex parte Owens, 206 S.W.3d 670, 673 (Tex. Crim. App. 2006)

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