

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH

Andrew Moran v. The State of Texas

Moran · No. 02-25-00105-CR · Decided February 26, 2026

SUMMARY

The Texas Court of Appeals for the Second District reviewed Andrew Moran’s Anders appeal from concurrent 14-year sentences for three counts of child-pornography possession. The court found no arguable grounds for relief, deleted unpronounced fines from the judgments, corrected the bill of costs to show no reimbursement fees owed, affirmed the judgments as modified, and granted appointed counsel’s motion to withdraw.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Elizabeth Kerr; Wallach; Walker
JURISDICTION	Court of Appeals for the Second Appellate District of Texas at Fort Worth
DECIDED	February 26, 2026
DOCKET	02-25-00105-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Moran appealed concurrent fourteen-year sentences imposed after he pleaded guilty without an agreement on punishment to three counts of child-pornography possession. Appointed appellate counsel filed an Anders brief and a motion to withdraw.
STANDARD OF REVIEW	In an Anders appeal, the appellate court must independently examine the entire record for any arguable ground for appeal before granting appointed counsel's motion to withdraw.
PRECEDENTIAL VALUE	Nonprecedential; memorandum opinion designated Do Not Publish under Tex. R. App. P. 47.2(b).
PARTIES	Andrew Moran v. The State of Texas

TOPICS

criminal procedure

appellate procedure

sentencing

right to counsel

standard of review

PRACTICE AREAS

criminal appellate procedure

criminal sentencing

Anders appeals

QUESTIONS PRESENTED

1. Whether appointed appellate counsel satisfied the requirements of *Anders v. California* and whether independent review revealed any arguable ground for relief.
2. Whether the three judgments could include \$100 fines that were not orally pronounced in Moran's presence.
3. Whether the bill of costs should be corrected to reflect the trial court's credit of the \$10 reimbursement fee for time served.

HOLDINGS

1. After appointed counsel fulfills Anders's requirements, the appellate court must independently examine the record for any arguable ground for appeal before granting counsel's motion to withdraw. The court found no arguable ground for relief and granted the motion to withdraw.
2. A fine included as part of a criminal sentence must be orally pronounced in the defendant's presence. Because the trial court did not orally pronounce the fines, the appellate court deleted the \$100 fine from each of the three judgments.
3. The bill of costs must be corrected to reflect that no reimbursement fee was currently owed when the trial court credited the \$10 reimbursement fee for time served. The court reformed the bill of costs to show \$0.00 in total reimbursement fees.

KEY QUOTATIONS

"After an appellant's court-appointed counsel fulfills Anders's requirements, this court must independently examine the record for any arguable ground that may be raised." (1)

"Thus, we will delete the fines from each judgment." (2)

"We affirm the judgments as modified, and we reform the bill of costs to reflect \"\$0.00\" owed for \"Total Reimbursement Fees.\"" (3)

FACTUAL BACKGROUND

Moran pleaded guilty without an agreement on punishment to three counts of possessing child pornography. The trial court imposed concurrent fourteen-year sentences and included a \$100 fine in each judgment, although it did not orally pronounce any fine in Moran's presence. The trial court also assessed a \$10 reimbursement fee in Count One and credited it for time served, but the bill of costs showed the fee as currently due.

PROCEDURAL HISTORY

The 372nd District Court of Tarrant County imposed concurrent fourteen-year sentences and included \$100 fines in each judgment. The court of appeals independently reviewed the record under Anders and found no arguable grounds for relief, but modified the judgments to delete the unpronounced fines and reformed the bill of costs to show no reimbursement fees currently owed. The court affirmed the judgments as modified and granted counsel's motion to withdraw.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

No remand. The judgments are affirmed as modified by deleting the \$100 fine from each judgment, and the bill of costs is reformed to show \$0.00 owed for total reimbursement fees.

CASES CITED

- Anders v. California, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967)
- Kelly v. State, 436 S.W.3d 313, 319 (Tex. Crim. App. 2014)
- Stafford v. State, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- Penson v. Ohio, 488 U.S. 75, 82-83, 109 S. Ct. 346, 351 (1988)
- Bledsoe v. State, 178 S.W.3d 824, 827-28 (Tex. Crim. App. 2005)
- Ette v. State, 559 S.W.3d 511, 513, 516 (Tex. Crim. App. 2018)
- Fuentes v. State, No. 02-24-00298-CR, 2025 WL 2492354, at *2 (Tex. App.—Fort Worth Aug. 29, 2025, no pet.) (mem. op., not designated for publication)
- Bray v. State, 179 S.W.3d 725, 729-30 (Tex. App.—Fort Worth 2005, no pet.)
- Allen v. State, 426 S.W.3d 253, 256-57 (Tex. App.—Texarkana 2013, no pet.)
- Ochoa v. State, No. 02-23-00225-CR, 2024 WL 1792771, at *2 (Tex. App.—Fort Worth Apr. 25, 2024, no pet.) (mem. op., not designated for publication)
- Jones v. State, 691 S.W.3d 671, 679 (Tex. App.—Houston [14th Dist.] 2024, pet. ref'd)
- Ramirez v. State, No. 02-24-00224-CR, 2025 WL 1350046, at *1-2 (Tex. App.—Fort Worth May 8, 2025, no pet.) (mem. op., not designated for publication)

OPINION

Andrew Moran v. the State of Texas

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth
_____ No. 02-25-00105-CR _____

ANDREW MORAN, Appellant V.

THE STATE OF TEXAS

On Appeal from the 372nd District Court Tarrant County, Texas Trial Court No. 1806318 Before

MEMORANDUM OPINION

Andrew Moran appeals concurrent 14-year sentences assessed by the trial court after Moran pleaded guilty—without an agreement on punishment—to three counts of child-pornography possession. See Tex. Penal Code Ann. § 43.26(e), (g). Moran’s appointed appellate counsel has filed a motion to withdraw and a brief in which she argues that the appeal is frivolous. The brief complies with *Anders v. California* by professionally evaluating the appellate record and demonstrating why Moran cannot show any arguable grounds for relief. See 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967). Counsel also complied with *Kelly v. State*, 436 S.W.3d 313, 319 (Tex. Crim. App. 2014). Although given the opportunity, Moran did not file a pro se response; likewise, the State declined to file a responsive brief. After an appellant’s court-appointed counsel fulfills *Anders*’s requirements, this court must independently examine the record for any arguable ground that may be raised. See *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). Only then may we grant counsel’s motion to withdraw. See *Penson v. Ohio*, 488 U.S. 75, 82–83, 109 S. Ct. 346, 351 (1988). After carefully reviewing the appellate record and counsel’s brief, we agree that—but for corrections to the three judgments and to the bill of costs—the appeal is wholly without merit; we have found nothing that might arguably support the appeal. See *Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005). 2 In all three judgments, the trial court included a \$100 fine as part of the sentence. But the trial court did not orally pronounce any fine when it sentenced Moran. See *Ette v. State*, 559 S.W.3d 511, 513, 516 (Tex. Crim. App. 2018) (discussing general principle that fines, as part of defendant’s sentence, must be orally pronounced in defendant’s presence). Thus, we will delete the fines from each judgment. See, e.g., *Fuentes v. State*, No. 02-24-00298-CR, 2025 WL 2492354, at

*2 (Tex. App.—Fort Worth Aug. 29, 2025, no pet.) (mem. op., not designated for publication); see also *Bray v. State*, 179 S.W.3d 725, 729–30 (Tex. App.—Fort Worth 2005, no pet.) (noting that in *Anders* appeals we may modify judgment errors to conform to record). In addition to assessing costs and a reimbursement fee in Count One’s judgment, the trial court found that the \$10 reimbursement fee was to be credited for time served. See Tex. Code Crim. Proc. Ann. art. 43.09. Nevertheless, the bill of costs shows the \$10 as currently due.¹ See Tex. Code Crim. Proc. Ann. art. 103.001(b); *Allen v. State*, 426 S.W.3d 253, 256–57 (Tex. App.—Texarkana 2013, no pet.) (noting that bill of costs obligates criminal defendant to pay those costs). We therefore correct the bill of costs to show “Total Reimbursement Fees” of \$0.00. See, e.g., *Ochoa v. State*, No. 02-23-00225-CR, 2024 WL 1792771, at *2 (Tex. App.—Fort Worth Apr. 25, 1 Additionally, the judgment’s selected punishment option provides that reimbursement fees are not due until the defendant’s release from confinement. See *Ramirez v. State*, No. 02-24-00224-CR, 2025 WL 1350046, at *1–2 (Tex. App.—Fort Worth May 8, 2025, no pet.) (mem. op., not designated for publication). 3 2024, no pet.) (mem. op., not designated for publication); *Jones v. State*, 691 S.W.3d 671, 679 (Tex. App.—Houston [14th Dist.] 2024, pet. ref’d). We affirm the judgments as

modified, and we reform the bill of costs to reflect “\$0.00” owed for “Total Reimbursement Fees.” We also grant counsel’s motion to withdraw. /s/ Elizabeth Kerr Elizabeth Kerr Justice Do Not Publish Tex. R. App. P. 47.2(b) Delivered: February 26, 2026 4

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