

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

William Mitchell Keen v. The State of Texas

No. 09-25-00143-CR · No. 09-25-00143-CR · Decided April 22, 2026

SUMMARY

The Ninth District Court of Appeals of Texas reviewed an Anders appeal from William Mitchell Keen’s conviction for indecency with a child and nine-year sentence. After examining the record, counsel’s Anders brief, and Keen’s pro se brief, the court found no arguable grounds for reversal and affirmed the trial court’s judgment.

CASE DETAILS

COURT	Court of Appeals for the Ninth District of Texas at Beaumont
WRITING FOR THE COURT	Leanne Johnson; Golemon, C.J.; Chambers, J.
JURISDICTION	Ninth District Court of Appeals of Texas at Beaumont
DECIDED	April 22, 2026
DOCKET	09-25-00143-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Criminal appeal from a judgment of conviction after appointed appellate counsel filed an Anders brief and the appellant filed a pro se brief.
STANDARD OF REVIEW	Upon receiving an Anders brief, the appellate court must conduct a full examination of the record to determine whether the appeal is wholly frivolous.
PRECEDENTIAL VALUE	Unpublished memorandum opinion; do not publish.
PARTIES	William Mitchell Keen v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- right to counsel
- standard of review

PRACTICE AREAS

- criminal appellate practice
- criminal procedure

QUESTIONS PRESENTED

1. Whether the Anders review disclosed any arguable grounds for reversal.
2. Whether the court was required to appoint new counsel to rebrief the appeal after receiving Keen's pro se brief.

HOLDINGS

1. The appeal was wholly frivolous because the court's full review of the record and briefs revealed no arguable grounds for reversal.
2. The court was not required to appoint new counsel because it found no arguable grounds for appeal.

KEY QUOTATIONS

"It may determine that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error[;] [o]r, it may determine that arguable grounds for appeal exist and remand the cause to the trial court so that new counsel may be appointed to brief the issues." (at 2)

"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." (at 2)

FACTUAL BACKGROUND

A grand jury indicted William Mitchell Keen for indecency with a child, a third-degree felony under Texas Penal Code section 21.11(a)(2)(A), (d). Keen pleaded not guilty, and a jury found him guilty and assessed punishment at nine years of confinement. The appellate court reviewed the entire record, appointed counsel's Anders brief, and Keen's pro se brief and found no arguably reversible error.

PROCEDURAL HISTORY

A Montgomery County grand jury indicted Keen for indecency with a child, and a jury found him guilty after he pleaded not guilty. The jury assessed punishment at nine years' confinement. Keen timely appealed; appointed appellate counsel filed an Anders brief asserting that no arguable grounds for reversal existed, and Keen filed a pro se brief. After independently reviewing the entire record, the briefs, and the applicable law, the court found no arguable basis for reversal and affirmed.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- High v. State, 573 S.W.2d 807 (Tex. Crim. App. 1978)
- Bledsoe v. State, 178 S.W.3d 824 (Tex. Crim. App. 2005)
- Stafford v. State, 813 S.W.2d 503 (Tex. Crim. App. 1991)
- Penson v. Ohio, 488 U.S. 75 (1988)

OPINION

William Mitchell Keen v. the State of Texas

PER CURIAM.

In The Court of Appeals Ninth District of Texas at Beaumont _____

NO. 09-25-00143-CR

_____ WILLIAM MITCHELL KEEN, Appellant V. THE STATE OF TEXAS,
Appellee _____ On
Appeal from the 9th District Court Montgomery County, Texas Trial Cause No. 24-03-04315-CR

MEMORANDUM OPINION

A grand jury indicted Appellant William Mitchell Keen (“Appellant” or “Keen”) for indecency with a child, a third-degree felony. See Tex. Penal Code Ann. § 21.11(a)(2)(A), (d). Keen pleaded “not guilty” to the charge and the jury found Keen guilty. After hearing evidence on punishment, the jury assessed punishment at nine years of confinement. Keen timely filed a notice of appeal. On appeal, Appellant’s court-ordered appellate attorney filed a brief stating that he has reviewed the case and, based on his professional evaluation of the record 1 and applicable law, there are no arguable grounds for reversal. See *Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). We granted an extension of time for Keen to file a pro se brief, and Keen filed a pro se brief. The Court of Criminal Appeals has held that when a court of appeals receives an *Anders* brief and also receives a pro se brief, the appellate court has two choices. See *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex. Crim. App. 2005). “It may determine that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error[;] [o]r, it may determine that arguable grounds for appeal exist and remand the cause to the trial court so that new counsel may be appointed to brief the issues.” *Id.* (citing *Anders*, 386 U.S. at 744; *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)). We do not address the merits of each claim raised in an *Anders* brief or a pro se brief when we have determined there are no arguable grounds for review. *Id.* at 827. Upon receiving an *Anders* brief, this Court must conduct a full examination of the record to determine whether the appeal is wholly frivolous. *Penson v. Ohio*, 488 U.S. 75, 80 (1988) (citing *Anders*, 386 U.S. at 744). We have reviewed the entire record, counsel’s brief, and Keen’s pro se brief, and we have found nothing that would arguably support an appeal. See *Bledsoe*, 178 S.W.3d at 827-28 (“Due to the nature of *Anders* briefs, by indicating in the opinion that it considered the issues 2 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.”). Therefore, we find it unnecessary to order appointment of new counsel to re-brief the appeal. *Cf. Stafford*, 813 S.W.2d at 511. We affirm the trial court’s judgment. 1 AFFIRMED.

LEANNE JOHNSON

Justice Submitted on April 15, 2026 Opinion Delivered April 22, 2026 Do Not Publish Before

Golemon, C.J., Johnson and Chambers, JJ. 1 Keen may challenge our decision in this case by filing a petition for discretionary review with the Texas Court of Criminal Appeals. See Tex. R. App. P. 68. 3

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