

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Patrick Darrell Gibson v. The State of Texas

No. 03-25-00387-CR (Tex. App.—Austin May 5, 2026) (mem. op.) · No. 03-25-00387-CR · Decided May 5, 2026

SUMMARY

The Texas Court of Appeals, Third District, reviewed an Anders appeal from a judgment adjudicating Patrick Darrell Gibson guilty, revoking his deferred-adjudication community supervision, and sentencing him to 240 days in jail for possession of a controlled substance. The court granted appointed counsel’s motion to withdraw, concluded the appeal was frivolous and without merit, and affirmed the trial court’s judgment.

CASE DETAILS

|                       |                                                                                                                                                                                                               |
|-----------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Texas Court of Appeals, Third District, at Austin                                                                                                                                                             |
| WRITING FOR THE COURT | Karin Crump; Chief Justice Byrne; Justice Crump; Justice Ellis                                                                                                                                                |
| JURISDICTION          | Texas Court of Appeals, Third District, at Austin                                                                                                                                                             |
| DECIDED               | May 5, 2026                                                                                                                                                                                                   |
| DOCKET                | 03-25-00387-CR                                                                                                                                                                                                |
| DISPOSITION           | affirmed                                                                                                                                                                                                      |
| PROCEDURAL POSTURE    | Appeal from a judgment adjudicating guilt, revoking deferred-adjudication community supervision, and imposing a 240-day jail sentence after the appellant pleaded true to the State's revocation allegations. |
| STANDARD OF REVIEW    | The court independently reviewed the record under the Anders procedure to determine whether any arguably meritorious ground for appeal existed.                                                               |
| PRECEDENTIAL VALUE    | Nonprecedential; marked Do Not Publish                                                                                                                                                                        |
| PARTIES               | Patrick Darrell Gibson v. The State of Texas                                                                                                                                                                  |

TOPICS

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

PRACTICE AREAS

## QUESTIONS PRESENTED

1. Whether appointed appellate counsel's Anders brief and motion to withdraw satisfied the applicable requirements.
2. Whether the record contained any arguably meritorious ground for appeal from the judgment adjudicating guilt and revoking community supervision.

## HOLDINGS

1. Appointed counsel's motion to withdraw and Anders brief satisfied the requirements of Anders by providing a professional evaluation of the record and demonstrating that no arguable grounds for appeal existed.
2. After independently reviewing the record and counsel's brief, the court found no issue that might arguably support the appeal and held that the appeal was frivolous and without merit.

## KEY QUOTATIONS

*“assisting the court in determining both that counsel in fact conducted the required detailed review of the case and that the appeal is . . . frivolous”* (opinion at 1)

## FACTUAL BACKGROUND

Gibson was charged with the state jail felony of possession of a controlled substance and pleaded guilty under a plea agreement. The trial court deferred adjudication and placed him on four years of community supervision. After Gibson pleaded true to allegations in the State's motion to revoke, the trial court adjudicated guilt, revoked supervision, and imposed a 240-day jail sentence.

## PROCEDURAL HISTORY

Gibson pleaded guilty to possession of a controlled substance pursuant to a plea agreement. The trial court deferred adjudication and placed him on four years of deferred-adjudication community supervision. After the State moved to revoke supervision, Gibson pleaded true; the trial court adjudicated him guilty, revoked supervision, and sentenced him to 240 days in jail. On appeal, appointed counsel filed an Anders motion to withdraw and brief, and Gibson did not file a pro se brief.

## DISPOSITION

affirmed

## CASES CITED

- *Anders v. California*, 386 U.S. 738, 744-45 (1967)
- *Garner v. State*, 300 S.W.3d 763, 766 (Tex. Crim. App. 2009)
- *Penson v. Ohio*, 488 U.S. 75, 81-82 (1988)

- Kelly v. State, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014)

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