

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PRECEDENTIAL VALUE	Nonprecedential; marked Do Not Publish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)

OPINION

Patrick Darrell Gibson v. the State of Texas

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-25-00387-CR

Patrick Darrell Gibson, Appellant v. The State of Texas, Appellee

FROM THE 119TH DISTRICT COURT OF TOM GREEN COUNTY

NO. B-20-0794-SA, THE HONORABLE TOMMY LAFON, JUDGE PRESIDING

MEMORANDUM OPINION

Patrick Darrell Gibson was charged with the state jail felony offense of possession of a controlled substance. See Tex. Health & Safety Code § 481.115(b). After he pleaded guilty under a plea agreement, the trial court deferred his adjudication of guilt and placed him on deferred adjudication community supervision for four years. See Tex. Code Crim. Proc. arts. 42A.101, .103. A few months later, the State filed a motion to revoke his community supervision. He pleaded true to the revocation allegations. Following a hearing, the trial court adjudicated his guilt, revoked his community supervision, and sentenced him to 240 days in jail. See *id.* arts. 42A.108, .110; Tex. Penal Code § 12.35. He appealed the trial court's judgment adjudicating his guilt. Gibson's court-appointed attorney on appeal filed a motion to withdraw supported by an Anders brief contending that the appeal is frivolous and without merit. See *Anders v. California*, 386 U.S. 738, 744-45 (1967). Gibson's court-appointed attorney's brief meets the requirements of Anders by presenting a professional evaluation of the record and demonstrating that there are no arguable grounds to be advanced. See *id.*; *Garner v. State*, 300 S.W.3d 763, 766 (Tex. Crim. App. 2009); see also *Penson v. Ohio*, 488 U.S. 75, 81-82 (1988) (explaining that Anders briefs serve purpose of "assisting the court in determining both that counsel in fact conducted the required detailed review of the case and that the appeal is . . . frivolous"). Gibson's counsel represented to the Court that she provided copies of the motion and brief to Gibson; advised Gibson of his right to examine the appellate record, file a pro se brief, and pursue discretionary review following the resolution of the appeal in this Court; and provided Gibson with a form motion for pro se access to the appellate record along with the mailing address of this Court. See *Kelly v. State*, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014). Gibson did not file a pro se brief and did not request an extension of time to do so. We have independently reviewed the record and considered Gibson's appellate brief filed by counsel, and we have found nothing that might arguably support the appeal. See *Anders*, 386 U.S. at 744; *Garner*, 300 S.W.3d at 766. We agree with counsel that the appeal is frivolous and without merit. Accordingly, we grant counsel's motion to withdraw and affirm the trial court's judgment adjudicating guilt and revoking community supervision.

Karin Crump, Justice Before Chief Justice
Byrne, Justices Crump and Ellis Affirmed Filed: May 5, 2026 Do Not Publish 2

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-court-of-appeals-third-district-at-austin-texas-court-of-appeals-third-district-at-austin/2026/patrick-darrell-gibson-v-the-state-of-texas-ck56kldf>