

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Brian Ward Coulter v. The State of Texas

No. 01-24-00304-CR · No. 01-24-00304-CR · Decided December 18, 2025

OPINION

Brian Ward Coulter v. the State of Texas

PER CURIAM.

Opinion issued December 18, 2025. In the Court of Appeals for the First District of Texas

NO. 01-24-00304-CR

BRIAN WARD COULTER, Appellant v. THE STATE OF TEXAS, Appellee On Appeal from the 178th District Court Harris County, Texas Trial Court Case No. 1848949

MEMORANDUM OPINION

A court found appellant, Brian Ward Coulter, guilty of the felony offense of capital murder,¹ and the trial court assessed his punishment at confinement for life without the possibility of parole. Appellant timely filed a notice of appeal. Appellant's appointed counsel on appeal has filed a motion to withdraw, along with a brief stating that the record presents no reversible error and the appeal is without merit and frivolous. See *Anders v. California*, 386 U.S. 738, 744-45 (1967).

Counsel's brief meets the *Anders* requirements by presenting a professional evaluation of the record and supplying the Court with references to the record and legal authority. See *id.* at 744; see also *High v. State*, 573 S.W.2d 807, 811-12 (Tex. Crim. App. 1978). Counsel indicates that he has thoroughly reviewed the record and is unable to advance any grounds of error that warrant reversal. See *Anders*, 386 U.S. at 744; *Mitchell v. State*, 193 S.W.3d 153, 155 (Tex. App.—Houston [1st Dist.] 2006, no pet.). Counsel has informed the Court that he provided appellant with a copy of his *Anders* brief and motion to withdraw. Counsel also informed appellant of his right to examine the appellate record and file a response to counsel's *Anders* brief. Further, counsel provided appellant with a copy of the appellate record and a form 1 See TEX. PENAL CODE § 19.03(a)(8). 2 motion to access the appellate record.2 See *Kelly v. State*, 436 S.W.3d 313, 319–20 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403, 408 (Tex. Crim. App. 2008). Appellant has not filed a response to his counsel's *Anders* brief. We have independently reviewed the entire record, and we conclude that no reversible error exists in the record, there are no arguable grounds for review, and the appeal is frivolous. See *Anders*, 386 U.S. at 744 (emphasizing reviewing court—and not counsel—determines, after full examination of proceedings, whether appeal is wholly frivolous); *Garner v. State*, 300 S.W.3d 763, 767 (Tex. Crim. App. 2009) (stating that reviewing court must determine whether arguable grounds for review exist); *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005) (same); *Mitchell*, 193 S.W.3d at 155 (stating that reviewing

court determines whether arguable grounds exist by reviewing entire record). We note that appellant may challenge a holding that there are no arguable grounds for an appeal by filing a petition for discretionary review in the Texas Court of Criminal Appeals. See Bledsoe, 178 S.W.3d at 827 & n.6. 2 This Court also notified appellant that counsel had filed an Anders brief and a motion to withdraw, and informed appellant that he had a right to examine the appellate record and file a response to his counsel's Anders brief. And this Court provided appellant with a form motion to access the appellate record. See Kelly v. State, 436 S.W.3d 313, 319–22 (Tex. Crim. App. 2014); In re Schulman, 252 S.W.3d 403, 408-09 (Tex. Crim. App. 2008). 3 Conclusion We affirm the judgment of the trial court and grant appellant's appointed counsel's motion to withdraw.3 Attorney Terrence Gaiser must immediately send appellant the required notice and file a copy of the notice with the Clerk of this Court. See TEX. R. APP. P. 6.5(c). We dismiss any other pending motions as moot. Amparo "Amy" Guerra Justice Panel consists of Justices Guerra, Caughey, and Dokupil. Do not publish. TEX. R. APP. P. 47.2(b). 3 Appellant's counsel still has a duty to inform appellant of the result of the appeal and that appellant may, on his own, pursue discretionary review in the Texas Court of Criminal Appeals. See Ex parte Wilson, 956 S.W.2d 25, 27 (Tex. Crim. App. 1997). 4