

**COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT
BEAUMONT**

Derwin Bernard Arline v. The State of Texas

Nos. 09-25-00106-CR and 09-25-00107-CR (Tex. App.—Beaumont Dec. 10, 2025) (mem. op.) · No. Nos. 09-25-00106-CR and 09-25-00107-CR · Decided December 10, 2025

OPINION

PER CURIAM.

In The Court of Appeals Ninth District of Texas at Beaumont _____ NO. 09-25-00106-CR NO. 09-25-00107-CR _____ DERWIN BERNARD ARLINE, Appellant
V. THE STATE OF TEXAS, Appellee

On
Appeal from the 356th District Court Hardin County, Texas Trial Cause Nos. 27986 and 27987

MEMORANDUM OPINION Appellant Derwin Bernard Arline was charged with indecency with a child by sexual contact in cause number 27986 and with aggravated sexual assault of a child in cause number 27987, second- and first-degree felonies, respectively.

See Tex. Penal Code Ann. §§ 21.11, 22.021. The cases were consolidated for trial and the jury convicted Arline of both offenses. Arline chose to have the trial court determine his sentences, and the trial court sentenced Arline to twenty years in the Texas 1 Department of Criminal Justice and a \$100 fine in cause number 27986.

The trial court also sentenced Arline to life in the Texas Department of Criminal Justice and a \$100 fine in cause number 27987. The court ordered the two sentences to run concurrently. This appeal followed. Arline’s appellate counsel filed an Anders brief that presents counsel’s professional evaluation of the record and concludes the appeal is frivolous; he also filed a motion to withdraw as counsel.

See *Anders v. California*, 386 U.S. 738 (1967); *High v. State*, 573 S.W.2d 807 (Tex. Crim. App. 1978). Arline was notified of his right to file a pro se brief, and he did so on October 6, 2025. The Court of Criminal Appeals has held that we need not address the merits of issues raised in an Anders brief or pro se response. *Bledsoe v. State*, 178 S.W.3d 824, 826-27 (Tex.

Crim. App. 2005). Rather, an appellate court may determine: (1) “that the appeal is wholly frivolous and issue an opinion explaining that it has reviewed the record and finds no reversible error[;]” or (2) “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.* We have reviewed the appellate record

and considered Appellant's pro se response, and we agree with counsel's conclusion that no arguable issues support an appeal.

See *id.* Therefore, we find it unnecessary to order appointment of new 2 counsel to re-brief the appeal. Cf. *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991). We affirm the trial court's judgments.¹ AFFIRMED. JAY WRIGHT Justice Submitted on December 9, 2025 Opinion Delivered December 10, 2025 Do Not Publish Before Johnson, Wright and Chambers, JJ. 1 Arline may challenge our decision in these cases by filing a petition for discretionary review.

See Tex. R. App. P. 68. 3