

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS,
CORPUS CHRISTI–EDINBURG

Gustavo Perez Sr. v. The State of Texas

No. 13-25-00689-CR (Tex. App.—Corpus Christi–Edinburg June 25, 2026) (mem.) · No. 13-25-00689-CR ·
Decided June 25, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas affirmed the trial court’s judgment adjudicating Gustavo Perez Sr. guilty after revoking deferred adjudication community supervision for violations of its terms. The court independently reviewed the record under *Anders v. California*, found no arguable grounds for appeal, and granted appointed counsel’s motion to withdraw.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas, Corpus Christi–Edinburg
WRITING FOR THE COURT	Jon West; Justices Peña; West; Fonseca
JURISDICTION	Texas Court of Appeals, Thirteenth District
DECIDED	June 25, 2026
DOCKET	13-25-00689-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the judgment adjudicating appellant guilty after the trial court revoked deferred-adjudication community supervision. Appellant's appointed appellate counsel filed an <i>Anders</i> brief and moved to withdraw.
STANDARD OF REVIEW	Upon receipt of an <i>Anders</i> brief, the appellate court conducts a full examination of the proceedings and record to determine whether the appeal is wholly frivolous and whether any arguable grounds for reversal exist.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; designated do not publish under Texas Rule of Appellate Procedure 47.2(b).
PARTIES	Gustavo Perez Sr. v. The State of Texas

TOPICS

appellate procedure

right to counsel

criminal procedure

PRACTICE AREAS

criminal appellate practice

criminal procedure

appointed counsel

QUESTIONS PRESENTED

1. Whether independent review of the record disclosed any arguable grounds for reversal under *Anders v. California*.
2. Whether appointed appellate counsel should be permitted to withdraw after filing an *Anders* brief.
3. Whether the trial court's judgment adjudicating Perez guilty and assessing punishment should be affirmed.

HOLDINGS

1. After receiving an *Anders* brief, the court must fully examine the proceedings and record to determine whether the appeal is wholly frivolous. The court conducted that review and found nothing that would arguably support an appeal.
2. Counsel's motion to withdraw should be granted when counsel has complied with *Anders* and the applicable Texas procedures.
3. The trial court's judgment was affirmed because the independent review disclosed no reversible error or arguable grounds supporting appeal.

KEY QUOTATIONS

“Upon receiving an Anders brief, we must conduct a full examination of all the proceedings to determine whether the case is wholly frivolous.” (2)

“We affirm the trial court’s judgment.” (4)

FACTUAL BACKGROUND

Perez pleaded guilty to taking a weapon from a peace officer, a third-degree felony. The trial court placed him on deferred-adjudication community supervision for eight years. The State later alleged four violations of the supervision terms; the trial court found all four allegations true, revoked supervision, adjudicated Perez guilty, and imposed three years' imprisonment and a \$500 fine.

PROCEDURAL HISTORY

Perez pleaded guilty to taking a weapon from a peace officer and received eight years of deferred-adjudication community supervision. After the State alleged four violations, the trial court found all four allegations true, revoked community supervision, adjudicated Perez guilty, and assessed three years' imprisonment and a \$500 fine. On appeal, appointed counsel filed an *Anders* brief asserting no arguable grounds for reversal; the court independently reviewed the record, found no arguable basis for appeal, granted counsel's motion to withdraw, and affirmed.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738, 744 (1967)
- *In re Schulman*, 252 S.W.3d 403, 406 n.9, 408–09, 408 n.17, 412 n.35 (Tex. Crim. App. 2008) (orig. proceeding)
- *Hawkins v. State*, 112 S.W.3d 340, 343–44 (Tex. App.—Corpus Christi–Edinburg 2003, no pet.)
- *Stafford v. State*, 813 S.W.2d 503, 510 n.3, 511 (Tex. Crim. App. 1991)
- *High v. State*, 573 S.W.2d 807, 813 (Tex. Crim. App. [Panel Op.] 1978)
- *Kelly v. State*, 436 S.W.3d 313, 319–22 (Tex. Crim. App. 2014)
- *Penson v. Ohio*, 488 U.S. 75, 80 (1988)
- *Bledsoe v. State*, 178 S.W.3d 824, 827–28 (Tex. Crim. App. 2005)
- *Ex parte Owens*, 206 S.W.3d 670, 673 (Tex. Crim. App. 2006)