

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT
AMARILLO

Rogelio Soto v. the State of Texas

No. 07-25-00245-CR · No. 07-25-00245-CR · Decided December 5, 2025

SUMMARY

The Seventh Court of Appeals of Texas reviewed an Anders appeal from the adjudication of guilt following alleged violations of deferred-adjudication community supervision for assault family violence. The court found no nonfrivolous grounds for reversal, affirmed the judgment adjudicating guilt, and granted appointed counsel’s motion to withdraw.

CASE DETAILS

COURT	Court of Appeals for the Seventh District of Texas at Amarillo
WRITING FOR THE COURT	Alex Yarbrough; Quinn, C.J.; Doss, J.; Yarbrough, J.
JURISDICTION	Court of Appeals for the Seventh District of Texas at Amarillo
DECIDED	December 5, 2025
DOCKET	07-25-00245-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Anders appeal from a judgment adjudicating guilt after revocation of deferred-adjudication community supervision.
STANDARD OF REVIEW	Independent review of the record in an Anders appeal to determine whether any nonfrivolous issue or plausible basis for reversal exists.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; marked Do not publish.
PARTIES	Rogelio Soto v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- right to counsel

PRACTICE AREAS

- criminal appellate procedure
- Anders appeals
- deferred adjudication and adjudication of guilt

QUESTIONS PRESENTED

1. Whether appointed appellate counsel complied with the requirements governing an Anders brief and motion to withdraw.
2. Whether independent review of the record disclosed any nonfrivolous issue or plausible basis for reversal of the judgment adjudicating guilt.

HOLDINGS

1. Counsel complied with the requirements for an Anders appeal and motion to withdraw by evaluating the record, providing Soto with the brief and record, notifying him of his right to file a pro se response, and informing him of his right to file a pro se petition for discretionary review.
2. The record contained no nonfrivolous issue or plausible basis for reversal; the judgment adjudicating guilt was affirmed.

KEY QUOTATIONS

“We too have independently examined the record to determine whether there are any non-frivolous issues which might support this appeal.” (at 3)

“After reviewing the record and counsel’s brief, we agree there is no plausible basis for reversal of Appellant’s conviction.” (at 3)

FACTUAL BACKGROUND

Pursuant to a plea agreement, Rogelio Soto was placed on deferred-adjudication community supervision for four years for assault family violence and assessed a \$1,000 fine. Approximately five months later, the State alleged that he violated multiple supervision conditions, including committing new offenses, failing to make required financial payments, and failing to complete community service. After Soto pleaded not true and evidence was presented, the trial court adjudicated guilt and sentenced him to ten years' confinement for the original offense and pronounced a \$10,000 fine.

PROCEDURAL HISTORY

Soto pleaded guilty pursuant to a plea agreement and was placed on four years of deferred-adjudication community supervision for assault family violence. The State later moved to adjudicate guilt based on alleged violations of supervision conditions. After a hearing at which Soto pleaded not true, the trial court found the allegations proven, adjudicated guilt, imposed ten years' confinement and pronounced a \$10,000 fine. Appointed appellate counsel filed an Anders brief and moved to withdraw. The court of appeals independently reviewed the record, found no nonfrivolous or plausible basis for reversal, affirmed the judgment, and granted counsel's motion to withdraw.

DISPOSITION

affirmed

CASES CITED

- *Anders v. California*, 386 U.S. 738, 744–45, 87 S. Ct. 1396, 18 L. Ed. 2d 493 (1967)
- *In re Schulman*, 252 S.W.3d 403, 406, 408–09, 411 & nn.22–23, 33 (Tex. Crim. App. 2008)
- *High v. State*, 573 S.W.2d 807, 813 (Tex. Crim. App. 1978)
- *Penson v. Ohio*, 488 U.S. 75, 80, 109 S. Ct. 346, 102 L. Ed. 2d 300 (1988)
- *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- *Gainous v. State*, 436 S.W.2d 137, 138 (Tex. Crim. App. 1969)
- *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005)

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