

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Jarrett Deondre Stearns v. The State of Texas

Nos. 01-24-01000-CR & 01-24-01001-CR · No. Nos. 01-24-01000-CR & 01-24-01001-CR · Decided
November 25, 2025

SUMMARY

The First Court of Appeals of Texas reviewed Anders briefs in two appeals arising from Jarrett Deondre Stearns’s convictions for fentanyl possession with intent to deliver and unlawful possession of a firearm by a felon. The court independently found no reversible error or arguable grounds for review, affirmed the trial court’s judgments, and granted appointed counsel’s motions to withdraw.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Guerra; Justice Guiney; Justice Johnson
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	November 25, 2025
DOCKET	Nos. 01-24-01000-CR & 01-24-01001-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Stearns appealed jury convictions for possession of fentanyl with intent to deliver and unlawful possession of a firearm by a felon. Appointed appellate counsel filed Anders briefs and motions to withdraw, asserting that the appeals were frivolous and presented no reversible error.
STANDARD OF REVIEW	In an Anders appeal, the reviewing court independently examines the entire record to determine whether reversible error or any arguable ground for review exists; the court, rather than appointed counsel, makes the final determination whether the appeal is wholly frivolous.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; marked do not publish.
PARTIES	Jarrett Deondre Stearns v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- right to counsel
- standard of review
- preservation of error

PRACTICE AREAS

criminal appellate procedure

appointed appellate counsel

Anders proceedings

controlled-substance offenses

firearm-possession offenses

QUESTIONS PRESENTED

1. Whether independent review of the appellate records in the Anders proceedings disclosed any reversible error or arguable ground for review.
2. Whether appointed appellate counsel's motions to withdraw should be granted after counsel filed Anders briefs and complied with the required procedures.

HOLDINGS

1. After independently reviewing the entire record in each appeal, the court concluded that no reversible error existed, no arguable grounds for review were present, and the appeals were frivolous.
2. The court granted appointed counsel's motion to withdraw in each appeal after determining that the Anders procedures had been satisfied and that the appeals were frivolous.

KEY QUOTATIONS

"We have independently reviewed the entire record in each appeal, and we conclude that no reversible error exists in the records, there are no arguable grounds for review, and the appeals are frivolous." (at 3)

"We affirm the judgments of the trial court and grant appellant's appointed counsel's motion to withdraw in each appeal." (at 4)

FACTUAL BACKGROUND

Stearns was charged with felony possession of fentanyl with intent to deliver, involving more than four but less than 200 grams, and unlawful possession of a firearm by a felon. A jury found him guilty of both offenses. The jury assessed concurrent punishment of thirty years' confinement and a \$10,000 fine for the fentanyl offense and five years' confinement and a \$5,000 fine for the firearm offense.

PROCEDURAL HISTORY

A jury found Stearns guilty of both charged offenses and assessed concurrent sentences of thirty years' confinement and a \$10,000 fine for the fentanyl offense, and five years' confinement and a \$5,000 fine for unlawful possession of a firearm by a felon. Stearns timely filed notices of appeal. After independently reviewing the records, the Court of Appeals found no reversible error or arguable grounds for review, affirmed the judgments, and granted appointed counsel's motions to withdraw.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- High v. State, 573 S.W.2d 807, 811 (Tex. Crim. App. 1978)
- Mitchell v. State, 193 S.W.3d 153, 155 (Tex. App.—Houston [1st Dist.] 2006, no pet.)
- 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)
- Garner v. State, 300 S.W.3d 763, 767 (Tex. Crim. App. 2009)
- Bledsoe v. State, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005)

OPINION

PER CURIAM.

Opinion issued November 25, 2025 In The Court of Appeals For The First District of Texas NO. 01-24-01000-CR NO. 01-24-01001-CR JARRETT DEONDRE STEARNS, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 488th District Court Harris County, Texas Trial Court Case Nos. 1874075 & 1874076 MEMORANDUM OPINION Appellant Jarrett Deondre Stearns was charged with the felony offenses of possession of a controlled substance, namely, fentanyl, with the intent to deliver, weighing more than four grams but less than 200 grams¹ and unlawful possession of a firearm by a felon.² A jury found appellant guilty of both offenses as charged in the indictments and assessed his punishment at thirty years' confinement and a \$10,000 fine for the offense of possession of a controlled substance, namely, fentanyl, with the intent to deliver, weighing more than four grams but less than 200 grams, and five years' confinement and a \$5,000 fine for the offense of unlawful possession of a firearm by a felon, with the sentences to run concurrently.

Appellant timely filed notices of appeal. Appellant's appointed counsel on appeal has filed a motion to withdraw in each appeal, along with briefs stating that the records present no reversible error and the appeals are without merit and are frivolous. See Anders v. California, 386 U.S. 738 (1967). Counsel's briefs meet the Anders requirements by presenting a professional evaluation of the records and supplying the Court with references to the records and legal authority.

See *id.* at 744; see also High v. State, 573 S.W.2d 807, 811 (Tex. Crim. App. 1978). Counsel indicates that he has thoroughly reviewed the record in each appeal and is unable to advance any grounds of error that warrant reversal. See 1 See TEX. HEALTH & SAFETY CODE ANN. § 481.112(a), (d). 2 See TEX. PENAL CODE ANN. § 46.04(a)(2). 2 Anders, 386 U.S. at 744; Mitchell v. State, 193 S.W.3d 153, 155 (Tex.

App.—Houston [1st Dist.] 2006, no pet.). Appellant's counsel has also certified that he mailed a copy of the motions to withdraw and Anders briefs to appellant and informed him of his right to

file a pro se response in each appeal. See *Kelly v. State*, 436 S.W.3d 313, 319–20 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403, 408–09 (Tex. Crim. App. 2008).

Counsel also informed appellant of his right to access the appellate records and provided him with a form motion for pro se access.³ See *Kelly*, 436 S.W.3d at 319– 20. Appellant has not filed responses to his counsel’s Anders briefs.

We have independently reviewed the entire record in each appeal, and we conclude that no reversible error exists in the records, there are no arguable grounds for review, and the appeals are 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) (reviewing court must determine whether arguable grounds for review exist); *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex. Crim. 3 This Court also notified appellant that counsel had filed Anders briefs and motions to withdraw and informed appellant that he had a right to examine the appellate records and file responses to his counsel’s Anders briefs.

And this Court provided appellant with form motions to access the appellate records. See *Kelly v. State*, 436 S.W.3d 313, 319–22 (Tex. Crim. App. 2014); *In re Schulman*, 252 S.W.3d 403, 408 (Tex. Crim. App. 2008). 3 App. 2005) (same); *Mitchell*, 193 S.W.3d at 155 (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. Conclusion We affirm the judgments of the trial court and grant appellant’s appointed counsel’s motion to withdraw in each appeal.⁴ Counsel must immediately send appellant the required notice and file a copy of that notice with the Clerk of this Court.

See TEX. R. APP. P. 6.5(c). PER CURIAM Panel consists of Justices Guerra, Guiney, and Johnson. Do not publish. TEX. R. APP. P. 47.2(b). 4 Appointed counsel still has a duty to inform appellant of the result of these appeals and that he may, on his own, pursue discretionary review in the Texas Court of Criminal Appeals. See *Bledsoe v. State*, 178 S.W.3d 824, 826–27 (Tex.

Crim. App. 2005). 4