

TEXAS COURT OF APPEALS, ELEVENTH DISTRICT

Derek Kashif Price v. the State of Texas

No. 11-24-00152-CR · No. No. 11-24-00152-CR · Decided December 4, 2025

SUMMARY

The Eleventh Court of Appeals of Texas affirmed Derek Kashif Price’s conviction for aggravated assault with a deadly weapon and his fifty-year habitual-offender sentence. Applying the Anders procedure, the court independently reviewed the record and found no arguable grounds for appeal, while granting appointed counsel’s motion to withdraw. The court noted deficiencies in counsel’s Anders brief but concluded that Price’s pro se filings showed he had reviewed the record and had an opportunity to advocate for himself.

CASE DETAILS

COURT	Texas Court of Appeals, Eleventh District
WRITING FOR THE COURT	W. Bruce Williams; Bailey, C.J.; Trotter, J.; Williams, J.
JURISDICTION	Texas Court of Appeals, Eleventh District
DECIDED	December 4, 2025
DOCKET	No. 11-24-00152-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Price appealed his jury conviction for aggravated assault with a deadly weapon and his fifty-year habitual-offender sentence. Appointed appellate counsel filed an Anders brief and moved to withdraw. After abating the appeal to ensure Price received a usable copy of the appellate record, the court independently reviewed the record, counsel's brief, and Price's pro se response.
STANDARD OF REVIEW	Under Anders and related Texas authority, the appellate court independently reviews the record to determine whether the appeal is wholly frivolous or whether arguable grounds for appeal exist.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; designated do not publish under Tex. R. App. P. 47.2(b).
PARTIES	Derek Kashif Price v. The State of Texas

TOPICS

appellate procedure

right to counsel

criminal procedure

PRACTICE AREAS

criminal appellate procedure

criminal procedure

right to counsel

QUESTIONS PRESENTED

1. Whether the appeal presented any arguable issue requiring appointment of new appellate counsel under Anders and Texas appellate procedure.
2. Whether the court could affirm the judgment despite deficiencies in appointed counsel's Anders brief after independently reviewing the record and considering Price's pro se response.
3. Whether appointed counsel's motion to withdraw should be granted.

HOLDINGS

1. The appeal was wholly without merit, and independent review of the record revealed no arguable issue or reversible error.
2. The court could affirm despite counsel's deficient Anders brief because the record showed that Price had access to and reviewed the record, filed a pro se response, and the court's independent review found no arguable issue.
3. The motion to withdraw was granted.

KEY QUOTATIONS

“It therefore fails to demonstrate that counsel conducted “a conscientious and thorough review of the law and facts” as he claims and, as appellate counsel, is required of him.” (at 2)

“Following the procedures outlined in Anders and Schulman, we have independently reviewed the record, the brief, and Appellant’s response, and conclude that the appeal is without merit.” (at 3)

FACTUAL BACKGROUND

During a dispute at an automotive repair technical college, Price punched instructor Thomas Felgar, knocking him unconscious. Price then used a twenty-pound steel alignment ramp to jump onto Felgar's head and chest twice, causing severe facial, physical, and neurological injuries that required hospitalization and multiple procedures. The jury considered witness testimony, photographs, medical records, video evidence, and Price's testimony before convicting him and assessing an enhanced fifty-year sentence based in part on prior robbery convictions.

PROCEDURAL HISTORY

A jury in the 432nd District Court of Tarrant County convicted Price of aggravated assault with a deadly weapon, found the habitual-offender enhancement true, and assessed fifty years' imprisonment. The trial court sentenced him accordingly. The appeal was transferred from the Second Court of Appeals under a docket-

equalization order, and the Eleventh Court of Appeals affirmed after conducting an Anders review and granting counsel's motion to withdraw.

DISPOSITION

affirmed

CASES CITED

- Anders v. California, 386 U.S. 738 (1967)
- In re Schulman, 252 S.W.3d 403, 406–12 (Tex. Crim. App. 2008)
- Pitchford v. State, No. 07-05-00254-CR, 2006 WL 1587153, at *1 (Tex. App.—Amarillo June 9, 2006) (order)
- Kelly v. State, 436 S.W.3d 313, 318–20 (Tex. Crim. App. 2014)
- Limauro v. State, 675 S.W.3d 368, 375 (Tex. App.—Dallas 2023, no pet.)
- In re N.F.M., 582 S.W.3d 539, 546 (Tex. App.—San Antonio 2018, no pet.) (en banc)
- Bledsoe v. State, 178 S.W.3d 824, 826–27 (Tex. Crim. App. 2005)
- Stafford v. State, 813 S.W.2d 503 (Tex. Crim. App. 1991)