

COURT OF APPEALS OF THE EIGHTH DISTRICT OF TEXAS

Billy Jack Barrera v. The State of Texas

No. 08-25-00043-CR · No. 08-25-00043-CR · Decided April 9, 2026

SUMMARY

The Eighth District Court of Appeals of Texas reviewed an Anders appeal from Billy Jack Barrera’s conviction for cruelty to animals, a third-degree felony. The court independently reviewed the record, found the appeal frivolous and without merit, affirmed the trial court’s judgment, and granted appellate counsel’s motion to withdraw.

CASE DETAILS

COURT	Court of Appeals of the Eighth District of Texas
WRITING FOR THE COURT	Gina M. Palafox; Salas Mendoza, Chief Justice; Gina M. Palafox, Justice; Soto, Justice
JURISDICTION	Court of Appeals of the Eighth District of Texas
DECIDED	April 9, 2026
DOCKET	08-25-00043-CR
DISPOSITION	affirmed
PROCEDURAL POSTURE	Barrera appealed his jury conviction and four-year sentence for cruelty to animals. Appointed appellate counsel filed an Anders brief and a motion to withdraw, asserting that the appeal was wholly frivolous.
STANDARD OF REVIEW	After a compliant Anders brief is filed, the court of appeals must independently review the entire record to determine whether any arguable grounds for appeal exist.
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Billy Jack Barrera v. The State of Texas

TOPICS

- appellate procedure
- criminal procedure
- right to counsel

PRACTICE AREAS

- criminal appellate procedure
- Anders appeals
- animal cruelty

QUESTIONS PRESENTED

1. Whether appellate counsel satisfied the requirements for withdrawal under *Anders v. California* by filing a brief that professionally evaluated the record and explained why no arguable issues existed.
2. Whether the court of appeals' independent review of the record revealed any arguable grounds for appeal.
3. Whether appellate counsel should be permitted to withdraw after the appeal was determined to be wholly frivolous.

HOLDINGS

1. Counsel's *Anders* brief satisfied the requirements for withdrawal because it professionally evaluated the record, cited the record and legal authority, and explained why no arguable points of error existed.
2. The appeal was wholly frivolous and without merit because the court's independent review of the entire record revealed no arguable grounds for appeal.

KEY QUOTATIONS

“Once appointed counsel files a compliant Anders brief, a court of appeals must conduct its own independent review of the record to ascertain whether there are any arguable grounds for the appeal.” (at 2)

“Having reviewed the entire record of this appeal, we conclude the appeal is wholly frivolous and without merit.” (at 3)

FACTUAL BACKGROUND

Barrera was charged with cruelty to animals after witnesses testified that he repeatedly beat his pit bull with a machete. The State introduced photographs showing the dog's extensive injuries and veterinary records. A jury found Barrera guilty, and the trial court assessed punishment at four years' confinement and ordered payment of court costs.

PROCEDURAL HISTORY

Barrera was indicted in the 81st District Court of Karnes County, pleaded not guilty, and was convicted by a jury of third-degree-felony cruelty to animals. The trial court assessed four years' confinement and court costs. On appeal, counsel filed a compliant *Anders* brief and motion to withdraw; Barrera did not file a pro se response. The Court of Appeals independently reviewed the record, found no arguable grounds, granted withdrawal, and affirmed.

DISPOSITION

affirmed

CASES CITED

- *In re Schulman*, 252 S.W.3d 403, 406 (Tex. Crim. App. 2008)

- *Anders v. California*, 386 U.S. 738, 744–45 (1967)
- *High v. State*, 573 S.W.2d 807, 812–13 (Tex. Crim. App. [Panel Op.] 1978)
- *Kelly v. State*, 436 S.W.3d 313 (Tex. Crim. App. 2014)
- *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991) (en banc)

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