

COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS  
AT FORT WORTH

Trevor Dallas Blankenship v. the State of Texas

Nos. 02-25-00302-CR & 02-25-00303-CR (Tex. App.—Fort Worth June 18, 2026) (mem. op.) · No. Nos. 02-25-00302-CR and 02-25-00303-CR · Decided June 18, 2026

SUMMARY

The Court of Appeals for the Second Appellate District of Texas reviewed Anders appeals from misdemeanor convictions for unlawful carrying of a weapon and driving while intoxicated. The court granted appointed counsel's motion to withdraw, deleted an unpronounced fine and certain reimbursement fees and court costs from the judgments, and affirmed the judgments as modified.

CASE DETAILS

|                       |                                                                                                                                                                                                                                                                       |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Second Appellate District of Texas at Fort Worth                                                                                                                                                                                             |
| WRITING FOR THE COURT | Wade Birdwell; Bassel, J.; Womack, J.                                                                                                                                                                                                                                 |
| JURISDICTION          | Court of Appeals for the Second Appellate District of Texas at Fort Worth                                                                                                                                                                                             |
| DECIDED               | June 18, 2026                                                                                                                                                                                                                                                         |
| DOCKET                | Nos. 02-25-00302-CR and 02-25-00303-CR                                                                                                                                                                                                                                |
| DISPOSITION           | affirmed                                                                                                                                                                                                                                                              |
| PROCEDURAL POSTURE    | Blankenship appealed two misdemeanor judgments entered after he pleaded guilty, was placed in Veterans Treatment Court, and was removed from that program. Appointed counsel filed an Anders brief and motion to withdraw, asserting that the appeals were frivolous. |
| STANDARD OF REVIEW    | Under Anders, the appellate court independently examines the record to determine whether the appeal is wholly frivolous and whether any arguable grounds for relief exist.                                                                                            |
| PRECEDENTIAL VALUE    | Unpublished, nonprecedential memorandum opinion                                                                                                                                                                                                                       |
| PARTIES               | Trevor Dallas Blankenship v. The State of Texas                                                                                                                                                                                                                       |

TOPICS

- criminal procedure
- appellate procedure
- sentencing
- standard of review

## PRACTICE AREAS

criminal procedure

criminal appeals

## QUESTIONS PRESENTED

1. Whether appointed appellate counsel could withdraw under Anders after representing that no nonfrivolous issue existed.
2. Whether the judgments improperly assessed a \$100 DWI fine that was not orally pronounced.
3. Whether the judgments improperly assessed \$2 reimbursement fees when the records showed no qualifying transaction had occurred.
4. Whether court costs could be assessed twice in a single criminal action involving multiple convictions.

## HOLDINGS

1. Counsel's Anders brief and motion to withdraw satisfied the applicable requirements, and independent review of the records revealed no arguable grounds for relief apart from correctable monetary errors.
2. The \$100 fine in the DWI judgment had to be deleted because the trial court did not orally pronounce it.
3. The court deleted the \$2 reimbursement fee assessed in each judgment because the records did not show that a qualifying transaction had occurred.
4. The court deleted the \$270 in court costs from the judgment in trial court cause number 1784261 because costs may be assessed only once in a single criminal action involving multiple convictions.

## KEY QUOTATIONS

*"As modified, we affirm both judgments."* (p. 4)

## FACTUAL BACKGROUND

Blankenship pleaded guilty to two misdemeanors: unlawful carrying of a weapon and driving while intoxicated. He was placed in Veterans Treatment Court but was later removed from the program, after which the trial court assessed one year of confinement in the county jail for each offense. The judgments also included a \$100 DWI fine, \$2 reimbursement fees in each case, and \$270 in court costs in each case.

## PROCEDURAL HISTORY

Blankenship pleaded guilty to unlawful carrying of a weapon and DWI and received one-year jail sentences after removal from Veterans Treatment Court. The trial court judgments assessed fines, reimbursement fees, and court costs. On appeal, counsel filed an Anders brief and motion to withdraw; Blankenship filed no pro se response, and the State agreed that the appeals were frivolous. The court independently reviewed the records, corrected several monetary assessments, granted counsel's motion to withdraw, and affirmed the judgments as modified.

## DISPOSITION

affirmed

## CASES CITED

- *Anders v. California*, 386 U.S. 738, 744 (1967)
- *In re Schulman*, 252 S.W.3d 403, 406-12 (Tex. Crim. App. 2008) (orig. proceeding)
- *Kelly v. State*, 436 S.W.3d 313, 319-20 (Tex. Crim. App. 2014)
- *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991)
- *Mays v. State*, 904 S.W.2d 920, 922-23 (Tex. App.—Fort Worth 1995, no pet.)
- *Penson v. Ohio*, 488 U.S. 75, 82-83 (1988)
- *Gourley v. State*, 710 S.W.3d 368, 379 (Tex. App.—Fort Worth 2025, pet. ref'd)
- *Pritchett v. State*, No. 05-23-00367-CR, 2025 WL 2108837, at \*7 (Tex. App.—Dallas July 28, 2025, no pet.) (mem. op., not designated for publication)
- *Johnson v. State*, Nos. 02-23-00090-CR, 02-23-00091-CR, 02-23-00092-CR, 02-23-00093-CR, 2024 WL 1318238, at \*3 (Tex. App.—Fort Worth Mar. 28, 2024, pet. ref'd) (mem. op., not designated for publication)
- *Blankenship v. State*, No. 02-25-00225-CR, 2026 WL 179569, at \*1 (Tex. App.—Fort Worth Jan. 22, 2026, pet. filed) (mem. op., not designated for publication)
- *Bledsoe v. State*, 178 S.W.3d 824, 827-28 (Tex. Crim. App. 2005)
- *Meza v. State*, 206 S.W.3d 684, 685 n.6 (Tex. Crim. App. 2006)

## OPINION

Trevor Dallas Blankenship v. the State of Texas

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth  
\_\_\_\_\_ No. 02-25-00302-CR No. 02-25-00303-CR  
\_\_\_\_\_ TREVOR DALLAS BLANKENSHIP, Appellant V.

THE STATE OF TEXAS

On Appeal from County Criminal Court No. 7 Tarrant County, Texas Trial Court Nos. 1776730, 1784261 Before Birdwell, Bassel, and Womack, JJ. Memorandum Opinion by Justice Birdwell

### MEMORANDUM OPINION

Trevor Dallas Blankenship pleaded guilty to two misdemeanors—unlawful carrying of a weapon and driving while intoxicated (DWI)—and was placed in the Veterans Treatment Court.<sup>1</sup> See Tex. Penal Code §§ 46.02(a-1)(2)(A), 49.04(a), (d). After he was removed from that court's program, the trial court assessed his punishment for each offense at one year's confinement in the Tarrant County Jail. Blankenship appealed. Blankenship's appointed appellate counsel has filed a motion to withdraw and a brief representing that "no non-frivolous issue may be raised in" these appeals. See *Anders v. California*, 386 U.S. 738, 744, 87 S. Ct. 1396, 1400 (1967). Counsel's brief and motion meet Anders's requirements by presenting a professional evaluation of the records demonstrating why there are no arguable grounds for relief. See *In re Schulman*, 252 S.W.3d 403, 406–12 (Tex. Crim. App. 2008) (orig. proceeding). Additionally, in compliance with *Kelly v. State*, counsel provided Blankenship with copies of the brief and the motion to withdraw, as well as a

form request for the appellate records. See 436 S.W.3d 313, 319–20 (Tex. Crim. App. 2014). He also certified to this court that he informed Blankenship of his right to file a pro se response and to seek further review in the Texas Court of Criminal Appeals should this court agree that the appeals are frivolous. 1 He also pleaded guilty to felony evading arrest or detention with a vehicle. See *Blankenship v. State*, No. 02-25-00225-CR, 2026 WL 179569, at \*1 (Tex. App.—Fort Worth Jan. 22, 2026, pet. filed) (mem. op., not designated for publication). 2 Blankenship did not file a pro se response. The State filed a letter agreeing that the appeals are frivolous, but it declined to file a formal reply. We have independently examined the appellate records, as is our duty upon the filing of an *Anders* brief. See *Stafford v. State*, 813 S.W.2d 503, 511 (Tex. Crim. App. 1991); *Mays v. State*, 904 S.W.2d 920, 922–23 (Tex. App.—Fort Worth 1995, no pet.); see also *Penson v. Ohio*, 488 U.S. 75, 82–83, 109 S. Ct. 346, 351 (1988). After carefully reviewing the appellate records and counsel’s brief, we agree that—but for a few minor errors in the judgments—the appeals are wholly frivolous and without merit. First, we delete the \$100 fine assessed in the judgment in trial court number 1784261, the DWI case, because it was not orally pronounced. See *Gourley v. State*, 710 S.W.3d 368, 379 (Tex. App.—Fort Worth 2025, pet. ref’d). Second, we delete from each judgment \$2 of the “Reimbursement Fees,”<sup>2</sup> which the bills of costs describe as transaction fees. See Tex. Code Crim. Proc. art. 102.072 (“An officer listed in Article 103.003 or a community supervision and corrections department may assess an administrative fee for each transaction made by the officer or department relating to the collection of fines, fees, restitution, or other costs imposed by a court.”). The bills of costs indicate that no payment had been received by the county clerk’s office, and nothing else in the records indicates that the county clerk’s office or the community supervision and corrections department had. The DWI judgment assesses an additional \$15 in reimbursement fees<sup>2</sup> according to Code of Criminal Procedure Article 102.018(a).<sup>3</sup> processed any transaction. See *Pritchett v. State*, No. 05-23-00367-CR, 2025 WL 2108837, at \*7 (Tex. App.—Dallas July 28, 2025, no pet.) (mem. op., not designated for publication). Accordingly, the records do not show a basis for assessing the \$2 reimbursement fee in each case. Third, both judgments impose \$270 in court costs. But “[i]n a single criminal action in which a defendant is convicted of two or more offenses or of multiple counts of the same offense, the court may assess each court cost or fee only once against the defendant.” Tex. Code Crim. Proc. art. 102.073(a); *Johnson v. State*, Nos. 02-23-00090-CR, 02-23-00091-CR, 02-23-00092-CR, 02-23-00093-CR, 2024 WL 1318238, at \*3 (Tex. App.—Fort Worth Mar. 28, 2024, pet. ref’d) (mem. op., not designated for publication). Accordingly, we delete the \$270 in court costs from the judgment in trial court cause number 1784261. See *Johnson*, 2024 WL 1318238, at \*3 (“[W]hen the convictions are the same category of offense and the costs are all the same, the court costs should be based on the lowest cause number.”).<sup>3</sup> Aside from these minor corrections, our independent review of the records reveals nothing that might arguably support the appeals. See *Bledsoe v. State*, 178 S.W.3d 3. Although when pronouncing Blankenship’s sentence, the trial court stated, “It will be the Order of

the Court that the cost of the court run with the time that you're being served as well," it is unclear whether the trial court meant that Blankenship's 231 days of time-served credit would apply to the entire amount of costs and fees assessed. Nothing in the judgments indicates that Blankenship would receive cost and fee credit for time served. But although itemizing the costs assessed in the judgments, both bills of costs also show \$0.00 for the total amount owed. 4824, 827–28 (Tex. Crim. App. 2005); see also *Meza v. State*, 206 S.W.3d 684, 685 n.6 (Tex. Crim. App. 2006). We grant counsel's motion to withdraw. We modify the judgment in trial court cause number 1784261 to delete the \$100 fine, \$270 court costs, and \$2 of the reimbursement fee. We modify the judgment in trial court cause number 1776730 to delete the \$2 reimbursement fee. As modified, we affirm both judgments. /s/ Wade Birdwell Wade Birdwell Justice Do Not Publish Tex. R. App. P. 47.2(b) Delivered: June 18, 2026 5