

Commonwealth Of Kentucky

Court of Appeals

NO. 2002-CA-000992-MR

CHARLES DICKERSON

APPELLANT

v. APPEAL FROM FULTON CIRCUIT COURT
HONORABLE WILLIAM L. SHADOAN, JUDGE
INDICTMENT NO. 01-CR-00110

COMMONWEALTH OF KENTUCKY

APPELLEE

OPINION

AFFIRMING

** ** *

BEFORE: BAKER, GUIDUGLI, AND PAISLEY, JUDGES.

BAKER, JUDGE. Charles Dickerson brings this appeal from an April 11, 2002, judgment of the Fulton Circuit Court. We affirm.

On November 30, 2001, the Fulton County Grand Jury indicted appellant upon two counts of second-degree burglary, Kentucky Revised Statutes (KRS) 511.030, one count of third-degree burglary, KRS 511.040, one count of theft by unlawful taking of property valued more than \$300.00, KRS 514.030, and

two counts of third-degree criminal mischief, KRS 512.040.

Pursuant to a plea agreement with the Commonwealth, appellant pled guilty to two counts of third-degree criminal mischief, one count of third-degree burglary, and two counts of second-degree burglary. On April 11, 2002, the circuit court entered a Judgment and Sentence on Plea of Guilty sentencing appellant to thirteen years imprisonment.

Thereupon, appellant filed a Motion to Proceed in Forma Pauperis and For Appointment of Counsel on appeal. The circuit court granted the motion and appointed the Department of Public Advocacy to represent appellant on appeal. A notice of appeal was timely filed on May 9, 2002. Appellant's appointed counsel, Irvin J. Halbleib, filed a motion to withdraw and for leave to file a brief pursuant to Anders v. California, 386 U.S. 738, 875 S. Ct. 1396, 18 L. Ed. 2d 493 (1967). On October 21, 2002, the Court of Appeals granted counsel's motion to withdraw and to file the Anders brief. Appellant was also granted the opportunity to file a supplemental *pro se* brief within thirty days from the date of the order. Appellant failed to do so.

In the Anders brief, appellant's counsel concedes that this appeal is "frivolous." As appellant has failed to file a *pro se* brief alleging any grounds for reversal, we summarily affirm.

For the foregoing reasons, the judgment of the Fulton
Circuit Court is affirmed.

ALL CONCUR.

BRIEF FOR APPELLANT:

IRVIN J. HALBLEIB
LOUISVILLE, KY

BRIEF FOR APPELLEE:

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