



IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-0088-12

JOSEPH RENE HERNANDEZ, Appellant

v.

THE STATE OF TEXAS

ON REHEARING OF APPELLANT'S
PETITION FOR DISCRETIONARY REVIEW
FROM THE FIRST COURT OF APPEALS
GALVESTON COUNTY

Per curiam.

OPINION

Appellant was convicted of aggravated sexual assault and sentenced to confinement for eighty years. The Court of Appeals affirmed the conviction. *Hernandez v. State*, No. 01-10-00989-CR (Tex.App - Houston [1st], delivered December 29, 2011). Appellant's petition for discretionary review was dismissed as untimely filed on June 13, 2012. Appellant has filed a motion for rehearing requesting reinstatement of his petition so that it will be considered by this Court. Appellant's motion for rehearing is granted. His petition for

discretionary review filed in this Court on April 10, 2012, is filed as of September 19, 2012, and will be considered in accord with Tex.R.App.P. 68. (But see order striking petition).

Delivered September 19, 2012

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