



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NOS. PD-0820-12 and PD-0821-12

GELBER OSMIN HERRERA, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FIFTH COURT OF APPEALS
DALLAS COUNTY**

PER CURIAM. KEASLER and HERVEY, JJ., dissent.

ORDER

The petition for discretionary review violates Rules of Appellate Procedure 9.3(b) and 68.4(i), because the petition is not accompanied by 11 copies and it does not contain a copy of the opinion of the court of appeals.

The petition is struck. *See* Rule of Appellate Procedure 68.6.

The petitioner may redraw the petition. The redrawn petition and copies must be filed in the COURT OF CRIMINAL APPEALS within thirty days after the date of this order.

Filed: September 19, 2012
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