

AFFIRM as Modified; Opinion Filed April 30, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-13-01430-CR

GEORGE DESHANNON TUCKER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 283rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F12-56621-T**

MEMORANDUM OPINION

Before Justices Lang, Myers, and Brown
Opinion by Justice Lang

A jury convicted George Deshannon Tucker of aggravated robbery with a deadly weapon. The trial court assessed punishment, enhanced by two enhancement paragraphs, at fifty years' imprisonment. In two issues, appellant contends the trial court's judgment should be modified to show the correct name for the State's attorney and to show the correct offense for which appellant was convicted. We modify the trial court's judgment and affirm as modified.

The record shows the State was represented at trial by Kelly Benavides and Chris Pryor. The jury convicted appellant of the offense of aggravated robbery with a deadly weapon. *See* TEX. PENAL CODE ANN. § 29.03(a)(2) (West 2011). The judgment, however, recites the State

was represented by Rachel Burris, and that the offense for which appellant was convicted was “aggravated robbery deadly weapon/habitation.” Thus, the judgment is incorrect. We decide appellant’s two issues in his favor.

We modify the judgment to show the attorneys who represented the State were Kelly Benavides and Chris Pryor. We further modify the judgment to show appellant was convicted for aggravated robbery with a deadly weapon. *See* TEX. R. APP. P. 43.2(b); *Bigley v. State*, 865 S.W.2d 26, 27–28 (Tex. Crim. App. 1993); *Asberry v. State*, 813 S.W.2d 526, 529–30 (Tex. App.—Dallas 1991, pet. ref’d).

As modified, we affirm the trial court’s judgment.

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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TEX. R. APP. P. 47
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

GEORGE DESHANNON TUCKER,
Appellant

No. 05-13-01430-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 283rd Judicial District
Court of Dallas County, Texas (Tr.Ct.No.
F12-56621-T).

Opinion delivered by Justice Lang, Justices
Myers and Brown participating.

Based on the Court's opinion of this date, the trial court's judgment is **MODIFIED** as follows:

The section entitled "Attorney for State" is modified to show "Kelly Benavides and Chris Pryor."

The section entitled "Offense for which Defendant Convicted" is modified to show "Aggravated Robbery Deadly Weapon."

As modified, we **AFFIRM** the trial court's judgment.

Judgment entered April 30, 2014.

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE