

MODIFY and AFFIRM; and Opinion Filed September 28, 2015.



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

**No. 05-15-00150-CR
No. 05-15-00151-CR**

CHRISTOPHER CHARLES BYNUM, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the Criminal District Court No. 7
Dallas County, Texas
Trial Court Cause Nos. F14-53422-Y, F14-53483-Y**

MEMORANDUM OPINION

Before Justices Lang-Miers, Brown, and Schenck
Opinion by Justice Brown

Christopher Charles Bynum waived a jury and pleaded guilty to two intoxication manslaughter offenses. *See* TEX. PENAL CODE ANN. § 49.08(a) (West 2011). After finding appellant guilty, the trial court assessed punishment at twenty years' imprisonment in each case. In four issues, appellant contends the trial court's judgments should be modified to show the correct name of the trial judge and that there were no plea bargain agreements. The State agrees the judgments should be modified as appellant requests. We modify the trial court's judgments and affirm as modified.

The record reflects that appellant entered his guilty pleas before a magistrate, but the punishment hearing was conducted before the Honorable Michael Snipes, then presiding judge of the Criminal District Court No. 7. The judgments incorrectly identify the magistrate rather than Judge Snipes as the trial court judge. Likewise, the judgments show the terms of a plea bargain as “20 years TDCJ,” whereas appellant entered open guilty pleas to the charges in the indictments. We sustain appellant’s issues.

We modify the trial court’s judgment in each case to show the judge presiding is “Hon. Michael Snipes,” and the terms of plea bargain are “open.” 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 judgments.

/Ada Brown/

ADA BROWN

JUSTICE

Do Not Publish
TEX. R. APP. P. 47

150150F.U05



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

JUDGMENT

CHRISTOPHER CHARLES BYNUM,
Appellant

No. 05-14-00150-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the Criminal District Court
No. 7 of Dallas County, Texas (Tr.Ct.No.
F14-53422-Y).

Opinion delivered by Justice Brown,
Justices Lang-Miers and Schenck
participating.

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

The section entitled "Judge Presiding" is modified to show "Hon. Michael Snipes."

The section entitled "Terms of Plea Bargain" is modified to show "Open."

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

Judgment entered September 28, 2015.



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

JUDGMENT

CHRISTOPHER CHARLES BYNUM,
Appellant

No. 05-14-00151-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the Criminal District Court
No. 7 of Dallas County, Texas (Tr.Ct.No.
F14-53483-Y).

Opinion delivered by Justice Brown,
Justices Lang-Miers and Schenck
participating.

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

The section entitled "Judge Presiding" is modified to show "Hon. Michael Snipes."

The section entitled "Terms of Plea Bargain" is modified to show "Open."

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

Judgment entered September 28, 2015.