

Affirmed and Opinion Filed October 30, 2017



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

No. 05-16-01024-CR

**SIMON SAMUEL LOPEZ, JR., Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 219th Judicial District Court
Collin County, Texas
Trial Court Cause No. 380-80596-10**

MEMORANDUM OPINION

**Before Justices Francis, Stoddart, and Whitehill
Opinion by Justice Whitehill**

Appellant's community supervision for driving while intoxicated was revoked and he was sentenced to ten years imprisonment. The judgment assessed costs of \$542.22, including \$133.00 for consolidated court costs, a portion of which were statutorily allocated to the comprehensive rehabilitation and abused children's counseling accounts. In one issue, appellant argues that he was charged fees that the court of criminal appeals' *Salinas* opinion held constitutionally impermissible. The *Salinas* holding does not apply to this case because it is not a pending petition for review and the legislature remedied the unconstitutional portion of the fees statute *Salinas* identified. See TEX. LOC. GOV'T CODE § 133.102(e) (amended by Act of Apr. 27, 2017, 85th Leg. R.S., ch. 966, §1 (effective June 15, 2017)); *Salinas v. State*, 523 S.W.3d 103, 113 (2017).

We thus resolve appellant's issue against him and affirm the trial court's judgment.

/Bill Whitehill/

BILL WHITEHILL
JUSTICE

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

JUDGMENT

SIMON SAMUEL LOPEZ, JR., Appellant

No. 05-16-01024-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 219th Judicial District
Court, Collin County, Texas

Trial Court Cause No. 380-80596-10.

Opinion delivered by Justice Whitehill.

Justices Francis and Stoddart participating.

Based on the Court's opinion of this date, the judgment of the trial court is **AFFIRMED**.

Judgment entered October 30, 2017.