

Affirmed as modified; Opinion Filed December 28, 2017.



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

No. 05-17-00584-CR

**MANUEL QUITERIO GARCIA, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F15-75637-P**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Stoddart
Opinion by Justice Stoddart

A jury convicted Manuel Quiterio Garcia, upon his plea of guilty, of aggravated robbery. The trial court assessed punishment at sixty years' imprisonment. In a single issue, appellant contends the trial court's judgment should be modified to correctly reflect his name. The State agrees the judgment should be modified as appellant requests. We modify the trial court's judgment and affirm as modified.

Both the indictment and the trial court's judgment recite appellant's name as "Manuel Quiteriogarcia." Letters contained in the record that were written by appellant state his name as "Manuel Quiterio Garcia." Moreover, the District Clerk verified the correct name of the defendant as "Manuel Quiterio Garcia." In his sole issue on appeal, appellant asks us to modify the judgment to show his correct name. We sustain appellant's issue. We modify the trial

court's judgment to show appellant's name is "Manuel Quiterio Garcia." TEX. R. APP. P. 43.2(b); *Bigley v. State*, 865 S.W.2d 26, 27–28 (Tex. Crim. App. 1993) (courts of appeals have authority to modify a judgment); *Estrada v. State*, 334 S.W.3d 57, 63–64 (Tex. App.—Dallas 2009, no pet.) (same).

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

/Craig Stoddart/
CRAIG STODDART
JUSTICE

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

JUDGMENT

MANUEL QUITERIO GARCIA, Appellant

No. 05-17-00584-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 203rd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F15-75637-P.

Opinion delivered by Justice Stoddart.

Justices Lang-Miers and Fillmore
participating.

Based on the Court's opinion of this date, the judgment of the trial court is **MODIFIED** to show the name of appellant is "Manuel Quiterio Garcia."

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

Judgment entered this 28th day of December, 2017.