

NO. 07-03-0437-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
OCTOBER 7, 2005

DAVID CAFFERY, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

FROM THE 359TH DISTRICT COURT OF MONTGOMERY COUNTY;
NO. 98-05-00463-CR; HONORABLE KATHLEEN A. HAMILTON, JUDGE

Before QUINN, C.J., and REAVIS and CAMPBELL, JJ.

ON MOTION TO SET BAIL

Following remand from the Court of Criminal Appeals, by opinion dated August 29, 2005, we reversed appellant's conviction on two counts of aggravated sexual assault of a child and remanded the cause to the trial court for new trial. Pending before this Court is

appellant's motion for bail filed pursuant to article 44.04(h) of the Texas Code of Criminal Procedure Annotated (Vernon Pamph. Supp. 2005), by which appellant requests reasonable bail be set.

The motion is in proper form and appellant has provided the information necessary to set bail pursuant to article 17.15 of the Code. We conclude appellant is entitled to the relief requested and the State having recommended that bond be set at \$20,000 for each count, the motion is granted and bail is set at \$40,000, conditioned as the law requires, provided however, the sureties on bail shall be approved by the presiding judge of the 359th Judicial District Court of Montgomery County.

It is so ordered.

Per Curiam