

NO. 07-12-00229-CR
07-12-00230-CR

IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B

FEBRUARY 7, 2013

ANTWAN DELEON, APPELLANT

v.

THE STATE OF TEXAS, APPELLEE

FROM THE 108TH DISTRICT COURT OF POTTER COUNTY;
NO. 61,933-E; HONORABLE DOUGLAS WOODBURN, JUDGE

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

CONCURRING OPINION

I join the Court's opinion, and write simply to mention that, although the Court is correct the testimony of a child victim, if believed by the fact finder, is sufficient to support conviction for a sexual offense, the convictions in these cases do not depend only on the victim's testimony. In addition to the evidence emphasized by the Court, I would emphasize the testimony of the Bridge interviewer that the victim indicated she was lying on her back during the Amarillo assaults, and that of the sexual assault nurse examiner, whose physical examination of the victim disclosed a penetration injury to her hymen. To me, the testimony of both those witnesses served to clarify that the part of

her body the victim referred to was her female sexual organ, in the wording of the statute. Tex. Penal Code Ann. § 22.021 (West 2012); *Karnes v. State*, 873 S.W.2d 92, 96 (Tex.App.—Dallas 1994, no pet.)(citing *Vernon v. State*, 841 S.W.2d 407, 409 (Tex.Crim.App. 1992)) (defining “female sexual organ”).

James T. Campbell
Justice

Do not publish.