



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-0489-13

HENRY JAMES KOHRHAMER, Appellant

v.

THE STATE OF TEXAS

**ON STATE'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FOURTEENTH COURT OF APPEALS
HARRIS COUNTY**

Per curiam.

OPINION

Appellant was convicted of injury to an elderly person and sentenced to 25 years in prison. On appeal, he argued that the evidence was insufficient to support the \$329 in court costs assessed against him in the judgment. The Court of Appeals agreed, relying on its own opinion in *Johnson v. State*, 389 S.W.3d 513 (Tex. App. – Houston [14th Dist.] 2012).

Kohrhamer v. State, No. 14-12-00814-CR, 2013 Tex. App. LEXIS 2793 (Tex. App. – Houston [14th Dist.] March 19, 2013) (not designated for publication).

The State has filed a petition for discretionary review of this decision. We recently handed down our opinion in *Johnson v. State*, No. PD-0193-13, 2014 Tex. Crim. App. LEXIS 240 (Tex. Crim. App. February 26, 2014), in which we set forth a roadmap for resolving questions regarding court costs. *See also Cardenas v. State*, No. PD-0733-13, 2014 Tex. Crim. App. LEXIS 236 (Tex. Crim. App. February 26, 2014).

The Court of Appeals in the instant case did not have the benefit of our opinion in *Johnson*. Accordingly, we grant the State’s petition for discretionary review, vacate the judgment of the Court of Appeals, and remand this case to the Court of Appeals in light of our opinion in *Johnson*. No motion for rehearing will be entertained.

Delivered: April 16, 2014
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