



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

NOS. PD-1467-15, 1468-15

COLE CANYON LOCKHART, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE THIRTEENTH COURT OF APPEALS
LLANO COUNTY**

Per curiam.

OPINION

Appellant was convicted in two cases of unlawful possession of a firearm by a felon and possession of a controlled substance. The court of appeals affirmed the convictions. *Lockhart v. State*, Nos. 13-13-00607-CR, 13-13-00608-CR, (Tex. App. -- Corpus Christi 2015). Appellant filed a petition for discretionary review contending, among other grounds, that the court of appeals failed to rule on a properly raised and briefed point of error. This

Court refused review on April 13, 2016. Appellant filed a motion for rehearing on April 28, 2016, seeking reconsideration of his ground that the court of appeals failed to address the issue of sufficiency of the evidence to support his conviction for unlawful possession of a firearm by a felon (No. 13-13-00607-CR).

We agree that a disposition of this point of error is “necessary to final disposition of the appeal,” and the court of appeals was therefore required to address it. Tex. R. App. P. 47.1. Accordingly, we grant appellant’s motion for rehearing in No. PD-1467-15 and deny the motion for rehearing in No. PD-1468-15. Further, we grant ground four only of his petition for discretionary review in No. PD-1467-15, vacate the judgment of the court of appeals in No. 13-13-00607-CR, and summarily remand to the court of appeals for consideration of appellant’s point of error that is necessary to a final disposition of the appeal. Rule 47.1.

Delivered: June 8, 2016
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