



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

No. PD-0759-13

JOYCE MCMILLIN STURDIVANT, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE FIRST COURT OF APPEALS
MCLENNAN COUNTY**

Per curiam.

O P I N I O N

Appellant was convicted of murder and attempted capital murder and sentenced to thirty years and fifteen years confinement. On appeal, Appellant claimed that the trial court erred in taxing as court costs the amounts paid to attorneys pro tem for the State and the expenses for the State's investigators and experts. The Court of Appeals held that Appellant failed to preserve this claim because she did not complain to the trial court and she did not file any post-judgment motions complaining that the assessment of these court costs was improper. Appellant petitioned this Court for discretionary review.

When the Court of Appeals issued its opinion in this case, it did so without the benefit of this Court's opinion in *Landers v. State*, 402 S.W.3d 252 (Tex. Crim. App. 2013). Therefore, we vacate the judgment of the Court of Appeals and remand for that court to consider the effect of *Landers*, if any, on its reasoning and analysis in this case.

Delivered: October 9, 2013

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