

AFFIRM; and Opinion Filed January 6, 2014.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-12-01430-CR

NAKIA LASHUAN FRANKLIN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 416th Judicial District Court
Collin County, Texas
Trial Court Cause No. 416-81048-08**

MEMORANDUM OPINION

Before Justices O'Neill, Myers, and Brown
Opinion by Justice O'Neill

Nakia Lashuan Franklin appeals, following the revocation of her community supervision, her conviction for theft, enhanced by two prior theft convictions. *See* TEX. PENAL CODE ANN. § 31.03(a), (e)(4)(D) (West Supp. 2013). The trial court assessed punishment at two years' confinement in a state jail, probated for four years, and a \$2,000 fine. In a single issue, appellant contends she is entitled to additional back-time credit for July 17, 2007, the date she was arrested on the offense. We affirm the trial court's judgment.

The record shows that on July 17, 2007, appellant was arrested on the theft offense. On April 6, 2013, appellant was arrested based on the State's motion to revoke her community

supervision. The judgment shows time credited “from 04/06/12 to 04/06/12” only. However, on October 18, 2013, the trial court issued an “agreed order for jail time credit” that gave appellant additional time credit from “7/17/2007 to 7/18/2007.” Thus, we overrule appellant’s issue as moot.

We affirm the trial court’s judgment.

/Michael J. O’Neill/

MICHAEL J. O’NEILL
JUSTICE

Do Not Publish
TEX. R. APP. P. 47

121430F.U05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

NAKIA LASHUAN FRANKLIN,
Appellant

No. 05-12-01430-CR V.

THE STATE OF TEXAS, Appellee

Appeal from the 416th Judicial District
Court of Collin County, Texas (Tr.Ct.No.
416-81048-08).

Opinion delivered by Justice O'Neill,
Justices Myers and Brown participating.

Based on the Court's opinion of this date, the trial court's judgment is **AFFIRMED**.

Judgment entered January 6, 2014.

/Michael J. O'Neill/

MICHAEL J. O'NEILL

JUSTICE