

Affirmed and Opinion Filed November 25, 2014.



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

No. 05-14-00149-CR

**KIERSTON RESCHKE, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the County Court at Law No. 2
Kaufman County, Texas
Trial Court Cause No. 11CL-1081-2**

MEMORANDUM OPINION

Before Justices FitzGerald, Lang, and Brown
Opinion by Justice Lang

A jury convicted Kierston Reschke of driving while intoxicated. The trial court assessed punishment at 180 days' confinement in jail, probated for two years, and a \$750 fine. We adopted the trial court's finding that appellant has abandoned her appeal, and we ordered the appeal submitted without the reporter's record and briefs. *See* TEX. R. APP. P. 37.3(c), 38.8(b)(4). Absent briefs, no issues are before us.

Finding no fundamental error, we affirm the trial court's judgment.¹

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

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¹ Although not fundamental error, we note the trial court number at the top of the trial court's judgment is 13CL-0294-2, whereas all of the other documents in the clerk's record contain trial court no. 11CL-1081-2. It appears this discrepancy is a clerical error correctable by judgment nunc pro tunc. *See Smith v. State*, 15 S.W.3d 294, 298–99 (Tex. App.—Dallas 2000, no pet.).



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

JUDGMENT

KIERSTON RESCHKE, Appellant

No. 05-14-00149-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the County Court at Law
No. 2, Kaufman County, Texas

Trial Court Cause No. 11CL-1081-2.

Opinion delivered by Justice Lang. Justices
FitzGerald and Brown participating.

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

Judgment entered this 25th day of November, 2014.