

**MODIFY and AFFIRM; and Opinion Filed May 9, 2018.**



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

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**No. 05-17-00916-CR**

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**CARLOS CALDERON, Appellant  
V.  
THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court No. 5  
Dallas County, Texas  
Trial Court Cause No. F16-14453-L**

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**MEMORANDUM OPINION**

Before Justices Francis, Fillmore, and Whitehill  
Opinion by Justice Fillmore

Carlos Calderon pleaded no contest to aggravated sexual assault of a child. The trial court deferred a finding of guilt and placed Calderon on community supervision for ten years. On appeal, Calderon requests that we modify the trial court's judgment to accurately reflect that he pleaded no contest. The State joins in Calderon's request to modify the judgment to reflect Calderon entered a plea of no contest to the charge of aggravated sexual assault of a child and also requests that we modify the trial court's judgment to accurately reflect the victim was younger than fourteen years of age.

Where, as here, the record provides the necessary information to correct inaccuracies in the trial court's judgment, we have the authority to modify the judgment to speak the truth. *See* TEX. R. APP. P. 43.2(b); *Asberry v. State*, 813 S.W.2d 526, 529-30 (Tex. App.—Dallas 1991, pet. ref'd).

The record reflects that Calderon pleaded no contest to aggravated sexual assault of a child and the victim was younger than fourteen years of age. Accordingly, we modify the judgment to reflect Calderon's plea of no contest and the victim was younger than fourteen years of age.

Affirm as modified.

/Robert M. Fillmore/  
ROBERT M. FILLMORE  
JUSTICE

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TEX. R. APP. P. 47

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

**JUDGMENT**

CARLOS CALDERON, Appellant

No. 05-17-00916-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court  
No. 5, Dallas County, Texas

Trial Court Cause No. F16-14453-L,

Opinion delivered by Justice Fillmore,

Justices Francis and Whitehill participating.

Based on the Court's opinion of this date, the judgment of the trial court is **MODIFIED** as follows:

- 1) The section of the trial court's judgment titled "Plea to Offense" is modified to state "No Contest."
- 2) The section of the trial court's judgment titled "The age of the victim at the time the offense was" is modified to state "younger than fourteen years of age."

As **MODIFIED**, the judgment is **AFFIRMED**.

Judgment entered this 9th day of May, 2018.