



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 02-14-00513-CR  
NO. 02-14-00514-CR**

KARL DEAN JACKSON

APPELLANT

V.

THE STATE OF TEXAS

STATE

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FROM THE 396TH DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NOS. 1319320D, 1328761D

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**MEMORANDUM OPINION<sup>1</sup>**  
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In August 2013, Appellant Karl Dean Jackson pleaded guilty to two second-degree felony offenses—indecentcy with a child and burglary of a habitation—in exchange for seven years' deferred-adjudication community supervision for each offense. See Tex. Penal Code Ann. §§ 21.11(d), 30.02(c)(2) (West 2011). In December 2014, after Jackson pleaded true to

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<sup>1</sup>See Tex. R. App. P. 47.4.

several of the allegations in the State’s petition to proceed to adjudication, the trial court found those allegations, as well as other allegations, true. The trial court then revoked Jackson’s community supervision, convicted him of both offenses, and sentenced him to fifteen years’ confinement in each case, to be served concurrently. See *id.* § 12.33 (West 2011) (stating that the punishment range for a second-degree felony is not more than 20 years or less than 2 years and up to a \$10,000 fine).

In a single issue, Jackson complains that his sentences constituted excessive and disproportionate punishment. However, Jackson concedes in his brief that he did not raise this complaint in the trial court or in a subsequent motion for new trial, and he acknowledges that this court, in *Laboriel-Guity v. State*, 336 S.W.3d 754, 756 (Tex. App.—Fort Worth 2011, pet. ref’d), and *Kim v. State*, 283 S.W.3d 473, 475 (Tex. App.—Fort Worth 2009, pet. ref’d), “has consistently held that proportionality complaints are forfeited when there is no complaint during the trial or in a subsequent motion for new trial.” Declining Jackson’s invitation to reconsider *Laboriel-Guity* and *Kim*, we overrule his sole issue as unpreserved and affirm the trial court’s judgments.

/s/ Bonnie Sudderth  
BONNIE SUDDERTH  
JUSTICE

PANEL: LIVINGSTON, C.J.; GABRIEL and SUDDERTH, JJ.

DO NOT PUBLISH  
Tex. R. App. P. 47.2(b)

DELIVERED: June 25, 2015