

NO. 07-11-0346-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL C
NOVEMBER 27, 2012

ERIC GARZA,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 140TH DISTRICT COURT OF LUBBOCK COUNTY;

NO. 2009-424174; HON. JIM BOB DARNELL, PRESIDING

Memorandum Opinion

Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

Appellant, Eric Garza, appeals his conviction for aggravated sexual assault of a child. Through a single issue, he contends that the trial court erred by requiring him to pay \$354.20 in attorney's fees. The State agrees and requests that we delete the award of attorney's fees in the amount of \$354.20.

Based on appellant's brief and the State's response, we consider and sustain the sole issue presented, modify the trial court's judgment by deleting from it the

assessment of prior court-appointed attorney's fees in the amount of \$354.20 against appellant, and affirm the trial court's judgment of conviction as modified.

Brian Quinn
Chief Justice

Do not publish.