



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-08-00097-CR

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GARY TRISTON GUICE, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 188th Judicial District Court  
Gregg County, Texas  
Trial Court No. 36,394-A

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Before Morriss, C.J., Carter and Moseley, JJ.  
Memorandum Opinion by Justice Moseley

## MEMORANDUM OPINION

Gary Triston Guice appeals from his conviction on his open plea of guilty to three felony offenses in a single proceeding. In this case, numbered 06-08-00097-CR (trial cause number 36,394-A), Guice was convicted of aggravated kidnapping. After Guice's plea of guilty, the issue of punishment was tried to the trial court. He was sentenced to life imprisonment in this case, to run concurrently with the sentences in the other two cases.<sup>1</sup>

On appeal, Guice raises two contentions of error. First, he argues that the trial court committed reversible error by failing to consider the entire range of punishment for the offense, and second, that the punishment imposed violated the right against cruel and unusual punishment.

We addressed these issues in detail in our opinion of this date on his appeal in cause number 06-08-00095-CR. For the reasons stated therein, we affirm the judgment.

Bailey C. Moseley  
Justice

Date Submitted: December 22, 2008  
Date Decided: December 23, 2008

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<sup>1</sup>In cause number 06-08-00095-CR (trial number 35,832-A), Guice was convicted of aggravated robbery and sentenced to life imprisonment. In cause number 06-08-00096-CR (trial cause number 36,392-A), Guice was convicted of sexual assault and sentenced to twenty years' imprisonment.