



**Court of Appeals  
Sixth Appellate District of Texas**

**J U D G M E N T**

Humberto Ortiz Balderas, Appellant

No. 06-22-00024-CR v.

The State of Texas, Appellee

Appeal from the 6th District Court of Lamar County, Texas (Tr. Ct. No. 28545). Memorandum Opinion delivered by Justice van Cleef, Chief Justice Stevens and Justice Rambin participating. Concurring Opinion in part and Dissenting Opinion in part by Justice Rambin.

As stated in the Court's opinion of this date, we find reversible error in the judgment of the court below. Therefore, we reverse the trial court's judgment of conviction as to Count I and render a judgment of acquittal as to that count. We reverse the judgments of conviction as to Counts III, IV, and V. We remand Counts II, III, IV, and V to the trial court for a new trial consistent with this opinion.

We further order that the appellee, The State of Texas, pay all costs of this appeal.

RENDERED MAY 25, 2023  
BY ORDER OF THE COURT  
SCOTT E. STEVENS  
CHIEF JUSTICE

ATTEST:  
Debra K. Autrey, Clerk