IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NO. PD-1773-08

JESUS TRANQUILINO CORTEZ, JR. aka JESUS CORTEZ, Jr. Appellant

v.

THE STATE OF TEXAS

ON REHEARING OF APPELLANT'S PETITION FOR DISCRETIONARY REVIEW FROM THE THIRTEENTH COURT OF APPEALS NUECES COUNTY

***Per curiam*.**

O P I N I O N

Appellant was convicted of three counts of murder and one count of aggravated assault. The jury assessed his punishment at confinement for ninety-nine years and a fine of $10,000 for the murder counts, and confinement for twenty years and a fine of $10,000 for the aggravated assault count. The Court of Appeals affirmed the convictions. *Cortez v. State*, (Tex. App. — Corpus Christi, No. 13-06-00398-CR, delivered August 27, 2008).

Appellant's petition for discretionary review was dismissed as untimely filed on February 4, 2009. Appellant has filed a motion for rehearing requesting reinstatement of his petition so that it will be considered by this Court. Appellant's motion for rehearing is granted. His petition filed on January 14, 2009, is reinstated as of March 18, 2009, and will be considered in accord with Tex.R.App.P. 68. The copies must be filed in THIS Court by March 25, 2009.

Delivered March 18, 2009
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