IN THE COURT OF CRIMINAL APPEALS OF TEXAS

NOS. PD-0901-20 & PD-0902-20 & PD-0903-20

BENSON DORSEY, Appellant

v.

THE STATE OF TEXAS

ON APPELLANT'S PETITIONS FOR DISCRETIONARY REVIEW FROM THE FIRST COURT OF APPEALS HARRIS COUNTY

Per curiam.

O R D E R

Appellant was convicted of possession of a controlled substance with intent to deliver and two counts of unlawful possession of a firearm by a felon. The Court of Appeals affirmed. *Benson v. State*, ___S.W.3d___, Nos. 01-18-00520-CR, 01-18-00521-CR, 01-18-00522-CR (Tex. App. - Houston [1st Dist], delivered Dec. Dec. 12, 2019). Appellant has filed petitions for discretionary review arguing that the court of appeals erred in holding

that two convictions for unlawful possession of a firearm did not violate the constitutional prohibition against double jeopardy. Before this Court considers Appellant's petitions, the Court must determine whether the court of appeals had jurisdiction to entertain Appellant's double jeopardy claim following his guilty pleas. TEX. CODE CRIM. PROC. art 44.02; TEX. R. APP. P. 25.2(a)(2). The parties are instructed to brief the issue:

> Did the court of appeals have jurisdiction to address Appellant's double jeopardy claim since this was a plea bargain case?

The briefs on this issue should be filed with the Clerk of this Court within 15 days.

The Clerk of this Court will send copies of this order to the Court of Appeals for the First District, the State Prosecuting Attorney, the District Attorney for Harris County, and Appellant.

Entered January 13, 2021.
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