

Affirmed and Opinion filed March 28, 2002.



In The

Fourteenth Court of Appeals

NO. 14-00-01430-CR

NO. 14-00-01431-CR

ALVIS OROZCO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 262nd District Court
Harris County, Texas
Trial Court Cause Nos. 842,818 and 842, 819**

MEMORANDUM OPINION

In three issues, Alvis Orozco appeals his conviction and sentence for aggravated robbery and aggravated kidnapping. First, appellant contends the trial court denied him due process by failing to admonish him regarding sex offender registration pursuant to article 26.13(a)(5) of the Texas Code of Criminal Procedure. In issues two and three, appellant alleges this failure to admonish rendered his guilty plea both involuntary and not knowingly and intelligently entered. We affirm and issue this memorandum opinion pursuant to Texas Rule of Appellate Procedure 47.1 because the law to be applied in this case is well settled.

Discussion

Appellant pled guilty for his role in an aggravated robbery during which the victims were bound and blind-folded. The victims suffered no physical injury. Article 26.13(a)(5) of the Code of Criminal Procedure states:

(a) Prior to accepting a plea of guilty or a plea of nolo contendere, the court shall admonish the defendant of:

(5) the fact that the defendant will be required to meet the registration requirements of Chapter 62, if the defendant is convicted of or placed on deferred adjudication for an offense for which a person is subject to registration under that chapter.

As the State correctly notes, persons are subject to registration under Chapter 62 for only certain kinds of aggravated kidnapping. In particular, registration is required only “if the defendant committed aggravated kidnapping with intent to violate or abuse the victim sexually.” TEX. CRIM. CODE PROC. ANN. art. 62.01(5)(c) (Vernon Supp. 2002). *See also* TEX. PENAL CODE § 20.04 (defining aggravated kidnapping). Here, the State never alleged and the court did not find, that appellant intended to sexually violate or abuse the persons he kidnapped. No evidence in the record supports an allegation involving sexual intent. Under these facts, no sex registration admonishment was required. Appellant’s first issue is overruled. Appellant’s remaining two issues derive from the court’s alleged failure to admonish. They are therefore overruled.

Accordingly, the judgment of the trial court is affirmed.

/s/ Eva M. Guzman
Justice

Judgment rendered and Opinion filed March 28, 2002.

Panel consists of Justices Yates, Seymore, and Guzman.

Do Not Publish — TEX. R. APP. P. 47.3(b).