

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

Martin Tovar Zapata v. The State of Texas

No. 03-25-00909-CR · No. 03-25-00909-CR · Decided June 12, 2026

OPINION

Martin Tovar Zapata v. the State of Texas

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-25-00909-CR

Martin Tovar Zapata, Appellant v. The State of Texas, Appellee

FROM THE 427TH DISTRICT COURT OF TRAVIS COUNTY

NO. D-1-DC-22-204696, THE HONORABLE TAMARA NEEDLES, JUDGE PRESIDING

MEMORANDUM OPINION

Appellant Martin Tovar Zapata has filed a motion to dismiss his appeal. As an initial matter, we note that the judgment adjudicating guilt erroneously recites appellant's surname as "Tavarzapata." In response to questioning by the trial court, appellant stated that his surname is in fact Tovar Zapata. Appellate courts have the authority to correct or reform a judgment when the necessary information is available to do so. See Tex. R. App. P. 43.2(b); *Bigley v. State*, 865 S.W.2d 26, 27–28 (Tex. Crim. App. 1993). Accordingly, we modify the judgment adjudicating guilt in trial court cause number D-1-DC-22-204696 to reflect that appellant's name is "Martin Tovar Zapata." See *Tiscareno v. State*, 608 S.W.3d 434, 443 (Tex. App.—Houston [1st Dist.] 2020, pet. ref'd) (concluding that "the spelling of appellant's name in the judgment does not accurately comport with the record in this case" and modifying judgment). Appellant's motion to dismiss is signed by both appellant and his attorney. See Tex. R. App. P. 42.2(a). We grant the motion and dismiss the appeal. See id. _____ Rosa Lopez Theofanis, Justice Before Chief Justice Byrne, Justices Theofanis and Crump Dismissed on Appellant's Motion Filed: June 12, 2026 Do Not Publish 2