

## Review of Recent Juvenile Cases (2010)

by  
The Honorable Pat Garza  
Associate Judge  
386th District Court  
San Antonio, Texas

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### **Failure to object at trial to the amount of child support ordered by the trial court fails to preserve issue for appeal.[In the Matter of J.S.H.](10-2-8)**

**On March 18, 2010, the Houston Court of Appeals (1 Dist.), held that by not objecting to amount of child support ordered at trial, juvenile's parent failed to preserve error for appeal, however, the court mentioned that the issue of whether a motion to modify the child-support payments may be filed by the parent was not presented.**

¶ 10-2-8. **In the Matter of J.S.H.**, MEMORANDUM, No. 01-08-00563-CV, 2010 WL 987247 (Tex.App.-Hous. (1 Dist.), 3/18/10).

**Facts:** Appellant, L.H., appeals the child-support portion of the trial court's May 28, 2008 judgment and order of commitment to the Texas Youth Commission of her son J.S.H..

**Held:** Affirmed.

**Memorandum Opinion:** L.H.'s sole issue on appeal is that she cannot afford the \$419 monthly child-support payments ordered by the trial court. She did not object at trial to the amount of child support ordered by the trial court. This issue, therefore, is not preserved for appeal. See Tex.R.App. P. 33.1(a) (as prerequisite to presenting complaint for appellate review, appellate record must show that complaint was made to trial court by timely request, objection, or motion stating specific grounds of complaint and that trial court ruled on request or objection). We have not been presented with any issue as to whether L.H. may file a motion to modify the amount of her child-support payments, nor have we been presented with arguments on her behalf to justify a modification.

**Conclusion:** We overrule L.H.'s sole issue and affirm the trial court's judgment.