

## Juvenile Law Case Summaries

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***Error in introducing minor in possession adjudication at criminal penalty phase not preserved by proper objection [Light v. State] (01-2-26).***

On May 21, 2001, the Dallas Court of Appeals refused to address the claim that admission of a minor in possession adjudication at the penalty phase of a criminal case was erroneous because that offense does not carry jail time was not preserved because there was not proper objection at trial.

¶ 01-2-26. Light v. State, UNPUBLISHED, No. 05-99-01915-CR, 2001 WL 533810, 2001 Tex.App.Lexis \_\_\_\_ (Tex.App.—Dallas 5/21/01)[Texas Juvenile Law (5th Edition 2000)].

Facts: Appellant appeals a conviction for driving while intoxicated (DWI) and an order revoking his probation. Appellant presents three issues complaining of error at his DWI trial. Specifically, appellant asserts: (1) the evidence is legally insufficient to support his conviction, (2) the trial court erred in admitting his oral statement, and (3) the trial court erred in admitting a juvenile adjudication at the punishment phase. For the following reasons, we affirm the trial court's judgment convicting appellant of DWI and the trial court's order revoking appellant's probation.

Held: Affirmed.

Opinion Text: In his third point of error, appellant asserts the trial court erred in admitting evidence of a prior juvenile adjudication at the punishment phase. During punishment, the State presented evidence that, in 1967, appellant was arrested and fined for being a minor in possession. Appellant objected on the grounds of relevancy. On appeal, appellant asserts the trial court erred in admitting the juvenile adjudication under article 37.07, section 3(a) because the adjudication was not for an offense punishable by confinement in jail. See Tex.Code Crim.Proc. Ann. art. 37.07, § 3(a) (Vernon Supp.2001). Because appellant's trial objection does not comport with the issue raised on appeal, appellant has preserved nothing for review. See Ibarra v. State, 11 S.W.3d 189, 197 (Tex.Crim.App.1999), cert. denied, 121 S.Ct. 79 (2000); Chambers v. State, 903 S.W.2d 21, 32 (Tex.Crim.App.1995); Camacho v. State, 864 S.W.2d 524, 533 (Tex.Crim.App.1993). We overrule appellant's third point of error. We affirm the trial court's judgment convicting appellant of DWI.

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