

IN THE MUNICIPAL COURT OF APPEALS  
OF THE CITY OF EL PASO, TEXAS

RAYMUNDO PANTOJA, Appellant

vs.

No. 88-MCA-1881

STATE OF TEXAS, Appellee

O P I N I O N

Appellant appeals his conviction in Municipal Court for assault.

A review of the record in this case reflects that the complaint is fatally defective for failing to allege the essential elements of the offense as well as not having been sworn to by the complaining witness. This court has previously held that an unsworn complaint is fundamentally defective. Dabbagh v. State, 84-MCA-1209 (Mun. Ct. App.), Leeper v. State, 84-MCA-1198.

Therefore, the judgment of the Trial Court is hereby reversed and the complaint ordered dismissed.

Signed this 29 day of April, 1988.

  
J U D G E