

#46

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

RAMON PAYAN, Appellant

vs.

NO. 83-MCA-658

STATE OF TEXAS, Appellee

O P I N I O N

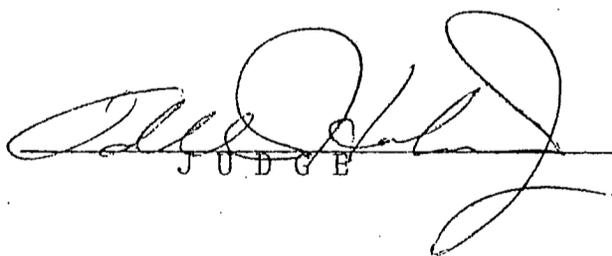
Appellant appeals his conviction in Municipal Court for running a red light, primarily on the basis that the Trial Court failed to grant his Motion for Speedy Trial.

The only indication from the record that such a motion was made is contained in his Motion for New Trial which was filed May 18, 1983, 7 days after the trial date.

The law requires that a Motion for Speedy Trial be made timely, and presented to the Trial Court in writing or it is waived. Estrada v. State, 643 SW2d 753, Article 32A.02, §3, V.A.T.C.S.

Finding that the Appellant waived his rights under the Speedy Trial Act, the Judgment of the Trial Court is affirmed.

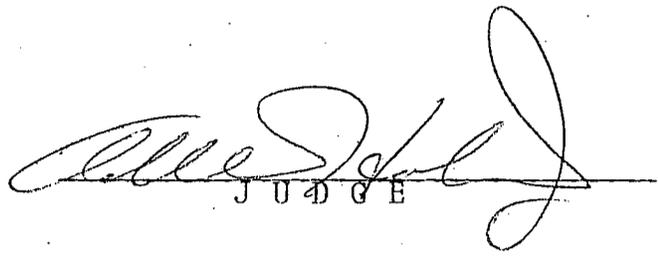
Signed this 19 day of Feb, 1985

  
J U D G E

J U D G M E N T

This case came on to be heard on the Transcript of the Record of the Court below, the same being considered, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things affirmed, and that the Appellant pay all costs in this behalf expended, and that this decision be certified below for observance.

Signed this 19 day of Feb, 1985.

  
JUDGE