

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

ALBERTO LOPEZ,)	
)	
Appellant,)	No. 96-MCA-2386
vs.)	
)	
STATE OF TEXAS,)	
)	
Appellee.)	

OPINION

Appellant appeals his conviction in Municipal Court for running a red light.

Appellant waived his right to counsel and proceeded to trial on a pro se basis.

On appeal, Appellant contends that the laws requirement that a pro se defendant conduct himself as a trained attorney is fundamentally unfair. Appellant cites no legal authority for such proposition.

On the contrary, the Courts have clearly held that a pro se defendant does not have a Constitutional right to receive personal instruction from the Judge or require the Judge to take over the chores for a pro se defendant that would normally be attended to by trained counsel. McKassle v. Wiggins, 104 S.Ct. 944, 79 L.Ed. 2d 122.

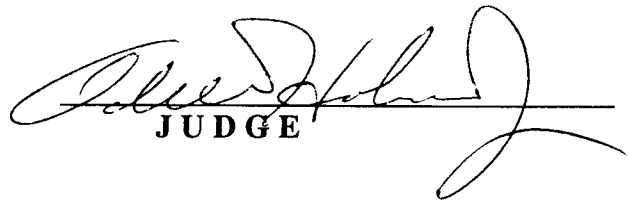
Additionally, pro se litigants are subject to the same rules of evidence, procedure, and substantive law as parties represented by counsel. Williams v. State, 549 S.W.2d 183 (Tex.Cr.App. 1977), Webb v. State, 533 S.W.2d 780 (Tex.Cr.App. 1976), and Minjares v. State, 577 S.W.2d 222 (Tex.Cr.App. 1978).

Appellant complains that the Judge advised him, in front of the jury, that he would be held to the same standards as a trained attorney, but no error is shown since the Court was authorized by law to do so. Appellant further contends that the Trial Court chastised the Defendant in front of the jury for several errors that he made, and made references to the fact that Appellant was proceeding on a pro se basis resulted in certain problems in the trial of the

case, and that the Prosecutor evidently stated to the jury that the Defendant was a nuisance because he had asked for a jury trial for a red light ticket. No Statement of Facts is contained in the record that would give credence to the fact that any of those statements were made, and therefore this Court is unable to review those assertions by Appellant on appeal. Even assuming that such statements were made, they may not have been objected to, and in which event any error would have been waived.

Having found no reversible error, the Judgment of the Trial Court is hereby affirmed.

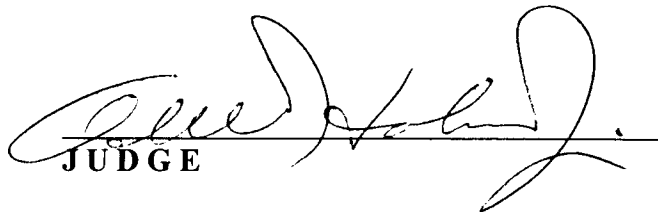
SIGNED this 21 day of Jan, 1997.


JUDGE

JUDGMENT

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 21 day of Jan, 1997.


JUDGE

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