

#95

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

ROBIN HIXON, Appellant

vs.

NO: 87-MCA-1803

STATE OF TEXAS, Appellee

O P I N I O N

Appellant appeals her conviction in Municipal Court for allegedly hindering a police officer in the performance of his duty.

Appellant was not issued a citation, but was notified by a summons of her Court date, which is authorized by law. However, Appellant contends, among other things, that she was denied the ability to obtain a statement of facts because such a procedure fails to give her an adequate opportunity to request a Court Reporter and to obtain a statement of facts.

The City does not contest such allegation, and therefore the case is remanded for retrial.

Although not necessary to this Court's decision, this Court has reviewed Appellant's brief and her contentions relating to this specific charge which certainly warrant close scrutiny on the part of the prosecution as to whether the allegations of the charge can be established based on what this Court perceives to be more a case of lack of cooperation rather than hindering the duties of a police officer.

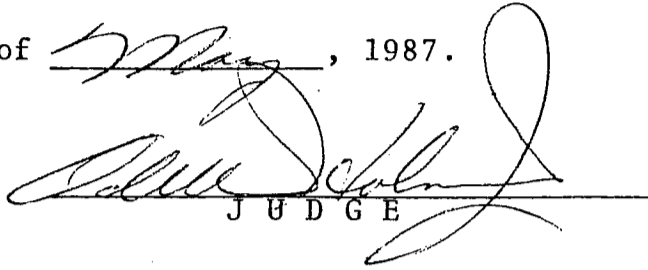
SIGNED this 5 day of May, 1987.


JUDGE

J U D G M E N T

This case came on to be heard, the same being considered, and because it is the opinion of this Court that there was error in the Judgment, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things reversed and remanded for retrial.

SIGNED this 5 day of May, 1987.


J U D G E