

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

Spelled Paxson on S.I.

MICHAEL PAXSON

vs.

NO. 84-MCA-1159

STATE OF TEXAS, Appellee

O P I N I O N

Appellant appeals his conviction in Municipal Court for causing an accident.

No statement of facts was requested, and none appears in the record. It is incumbent upon the Defendant to demand that a record be made of the proceedings in the Trial Court. Article 1200ee-2, Section 2.07(b).

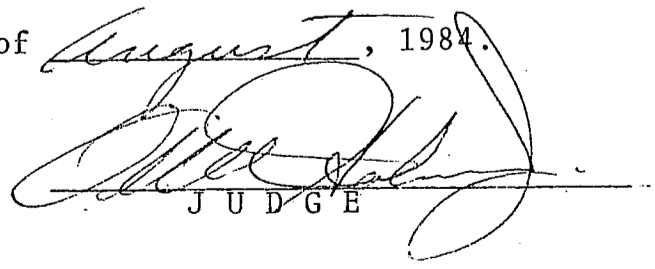
However, Appellant has filed a bill of exception which basically attacks the sufficiency of the evidence to sustain the conviction. This Court's research indicates that the function of a bill of exception is not directed at attacking the sufficiency of the evidence presented, but is confined to addressing some matter which does not otherwise appear of record, such as the exclusion of evidence. Article 1200ee-2, Section 3.18.

Since no statements appears in the record, this Court is without power to review Appellant's challenge to the sufficiency of the evidence, and the point is therefore overruled.

Appellant's other points of error contained in his brief have been previously considered by this Court and overruled. Hill v. State, 83-MCA-23, (Mun.Ct.App. - 1984).

The Judgment of the Trial Court is affirmed.

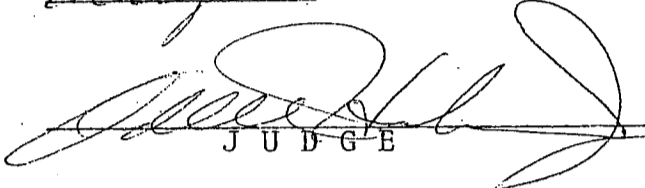
Signed this 6 day of August, 1984.


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 6 day of August, 1984.


J U D G E