

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

<sup>JORGE</sup>  
~~JOSE~~ PEREZ, Appellant

vs.

NO. 83-MCA-553

STATE OF TEXAS, Appellee

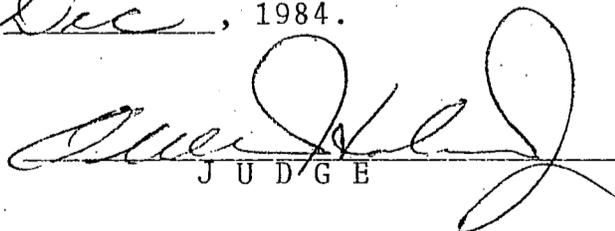
O P I N I O N

This case is decided on appeal based on the transcript before this Court, no brief having been filed by the parties. In such a case, this Court is obligated to review the matter for fundamental error only, which the Court has done. Gomez v. Texas, 662 SW2d 443 (Tex.Cr.App. - 1984); Zamora v. State, 568 SW2d 355 (Tex.Cr.App. - 1978); Robison v. State, 661 SW2d 279 (Tex.Cr.App. - Corpus Christi 1983).

Having found no fundamental error, the judgment of the Trial Court is affirmed.

This Court further has reviewed Appellant's only points of error raised in its Motion for New Trial based on the insufficiency of the evidence and that the conviction is based only on hearsay evidence, and it is determined that both of those contentions cannot be addressed by this Court because there is no statement of facts contained in the record nor was a statement of facts requested by the Appellant. Without a statement of facts, contentions attacking the sufficiency of the evidence or its admissibility cannot be considered.

Signed this 12 day of Dec, 1984.

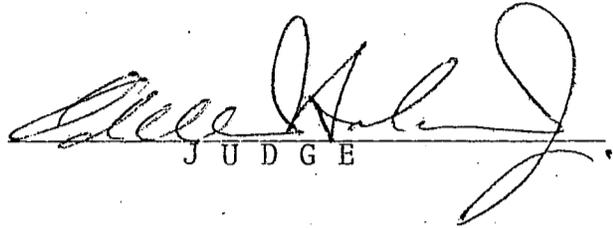
  
J U D G E

J U D G M E N T

It is the opinion of this Court that this Appeal should be dismissed for want of jurisdiction. It is ORDERED,

ADJUDGED and DECREED by the Court that the Appeal is dismissed for want of jurisdiction in accordance with the opinion of this Court and that Appellant pay all costs in this behalf expended, and that this decision be certified below for observance.

Signed this 12 day of Dec, 1984.

  
J U D G E