

NO. 07-08-0339-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
JANUARY 13, 2009

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KEITH A. BARBER,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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FROM THE 137<sup>TH</sup> DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 2007-418,534; HON. CECIL G. PURYEAR, PRESIDING

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***Memorandum Opinion***

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Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Keith A. Barber appeals his conviction of possession of a controlled substance (cocaine). He does so in one issue in which he claims error on the part of the trial court in allowing a Department of Public Safety chemist to testify from a report of another chemist. We affirm the judgment.

Whether or not the testimony was admissible, appellant only objected when the State propounded its first question about the report's content. Yet, that was not the only

question propounded by the State on that subject. And, when it asked its other questions, appellant raised no complaint. Nor had he requested and received a running objection after the trial court overruled his first objection or sought to attack the testimony outside the jury's presence. Consequently, his complaint was not preserved. *Ethington v. State*, 819 S.W.2d 854, 859-60 (Tex. Crim. App. 1991).

Accordingly, appellant's issue is overruled, and the judgment is affirmed.

Per Curiam

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