

Affirmed and Memorandum Opinion filed October 2, 2014.



In The

Fourteenth Court of Appeals

NO. 14-13-00228-CR

MAURICIO PINEDA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 1320953**

M E M O R A N D U M O P I N I O N

A jury convicted appellant Mauricio Pineda of sexual assault of a child and sentenced him to imprisonment for twenty years. Appellant filed a timely notice of appeal. We affirm.

In a single issue, appellant claims the trial court erred in admitting into evidence the complainant's Honduran birth certificate. There were lengthy discussions on the record regarding the admissibility of the exhibit prior to its

admission. However, the record reflects the following exchange when the State ultimately introduced the birth certificate into evidence:

[The State]: Judge, at this time, I'm going to offer State's Exhibit 8. Tender to defense counsel for objection?

THE COURT: All right.

[Defense Counsel]: No objection, Judge.

Any error in admitting the birth certificate was waived. *See Nadal v. State*, 348 S.W.3d 304, 317 (Tex. App.—Houston [14th Dist.] 2011, pet. ref'd) (citing *Holmes v. State*, 248 S.W.3d 194, 201 (Tex. Crim. App. 2008) (“[A] defendant waives any complaint on appeal concerning the admissibility of evidence when he affirmatively states, ‘No objection,’ at the time the evidence is offered....”)). Accordingly, appellant’s sole issue is overruled and the judgment of the trial court is affirmed.

/s/ Marc W. Brown
Justice

Panel consists of Justices McCally, Brown, and Wise.

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