



**In the  
Court of Appeals  
Second Appellate District of Texas  
at Fort Worth**

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No. 02-18-00432-CR

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NOLBERTA LOUISE VARGAS, Appellant

v.

THE STATE OF TEXAS

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On Appeal from County Criminal Court No. 6  
Tarrant County, Texas  
Trial Court No. 1453917

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Before Sudderth, C.J.; Bassel and Womack, JJ.  
Memorandum Opinion by Justice Bassel

## MEMORANDUM OPINION

Appellant Nolberta Louise Vargas appeals her conviction for Class B misdemeanor driving while intoxicated, enhanced by one prior felony, for which she was sentenced to 100 days in Tarrant County Jail. In a single issue, Vargas argues that the trial court erred by denying her pretrial motion to suppress evidence of an electronic scale discovered during a search of her purse. The State responds that the correctness of the trial court's pretrial ruling denying Vargas's motion to suppress was rendered moot when later, during the trial, the trial court sustained her hearsay objection to the testimony relating to the scale. We agree with the State that the record does not reflect that any testimony related to the scale was offered or admitted at trial. We therefore overrule Vargas's sole issue as moot and affirm the trial court's judgment. *See Long v. State*, 525 S.W.3d 351, 368 (Tex. App.—Houston [14th Dist.] 2017, pet. ref'd) (holding that appellant's argument challenging the trial court's denial of his motion to suppress evidence obtained during the search of his residence was moot because none of the items seized was offered or admitted at trial).

/s/ Dabney Bassel

Dabney Bassel  
Justice

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Tex. R. App. P. 47.2(b)

Delivered: July 3, 2019