

NO. 07-04-0069-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL D
DECEMBER 7, 2005

THOMAS H. YOUNG,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 140TH DISTRICT COURT OF LUBBOCK COUNTY;
NO. 2003-404,581; HON. JIM B. DARNELL, PRESIDING

Memorandum Opinion

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

Thomas H. Young appeals his convictions for possessing with intent to deliver and manufacturing a controlled substance (namely methamphetamine). His three issues concern the admission of evidence of an extraneous offense. We overrule the issues and affirm the judgment for the following reason.

The evidence in question involved discussion by an officer of an incident occurring after the offense for which appellant was tried. Furthermore, appellant objected to the

testimony under Texas Rules of Evidence 401, 403 and 404. The objections were overruled, and the testimony continued. After the parties completed their examination of this particular officer, another was called by the State. This officer also testified about the same incident but without objection from the appellant. Moreover, the appellant had not requested or obtained a running objection when the incident was discussed by the first officer. Given these circumstances, the objection was waived. *Leday v. State*, 983 S.W.2d 713, 718 (Tex. Crim. App. 1998).

Accordingly, the judgment of the trial court is affirmed.

Brian Quinn
Chief Justice

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