

NO. 07-05-0096-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL D  
JUNE 29, 2006

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LEONARD GONZALES, a/k/a MANUEL GONZALEZ,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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FROM THE 137<sup>TH</sup> DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 2004-406,411; HON. CECIL G. PURYEAR, PRESIDING

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***Memorandum Opinion***

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

Leonard Gonzales, a/k/a Manuel Gonzalez (appellant) appeals his conviction for burglary of a habitation with intent to commit sexual assault. His two issues concern comments made by the prosecutor during voir dire. The comments involved the punishment to which the appellant could be subjected and the existence of “special circumstances” warranting an automatic life sentence.<sup>1</sup> We affirm the judgment.

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<sup>1</sup>The trial court, as opposed to the jury, was to assess punishment.

The record discloses that appellant voiced no objection to the trial court about the comments at issue. Uttering a timely objection was required to preserve his complaint. See *Turner v. State*, 805 S.W.2d 423, 431 (Tex. Crim. App. 1991) (requiring a contemporaneous objection to conduct occurring at voir dire to preserve the complaint for review); *Ross v. State*, 154 S.W.3d 804, 807 (Tex. App.–Houston [14<sup>th</sup> Dist.] 2004, pet. ref'd) (holding the same). Having failed to object, the complaints were waived.

Overruling appellant's two issues, we affirm the judgment of the trial court.

Per Curiam

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