

NO. 07-07-0382-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
JULY 14, 2008

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ERIN TEAGUE WAGES,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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FROM THE 100<sup>TH</sup> DISTRICT COURT OF CHILDRESS COUNTY;  
NO. 4833; HON. DAVID MCCOY, PRESIDING

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***Memorandum Opinion***

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

Erin Teague Wages was convicted of possession of a controlled substance in a drug free zone. She challenges that conviction by contending, in two issues, that the trial court erred in denying her motion for continuance. We overrule the issues.

The two motions in question were oral as opposed to written. Motions for the continuance of a criminal trial must be in writing and sworn to by a person having personal knowledge of the facts. TEX. CODE CRIM. PROC. ANN. art. 29.03 & 29.08 (Vernon 2006).

When they are not, as here, it preserves nothing for review. *Dewberry v. State*, 4 S.W.3d 735, 755 (Tex. Crim. App. 1999); *Dixon v. State*, 64 S.W.3d 469, 472 (Tex. App.–Amarillo 2001, pet. ref'd).

Nor did she complain, at trial, about purportedly being denied her constitutional right to compulsory process. Thus, that contention was also waived. *Guevara v. State*, 97 S.W.3d 579, 583 (Tex. Crim. App. 2003).

The judgment of the trial court is affirmed.

Brian Quinn  
Chief Justice

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