



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-12-00514-CR

NORMAN WEST, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 364th District Court
Lubbock County, Texas
Trial Court No. 2012-434,209, Honorable Bradley S. Underwood, Presiding

September 4, 2013

MEMORANDUM OPINION

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

Norman West appeals his conviction for possessing a controlled substance with intent to deliver. Through a single issue, he contends that he did not freely, knowingly and voluntarily waive his constitutional right against self-incrimination, and, therefore, his statements were inadmissible.¹ We affirm.

Appellant did not object below to the use of his statements; he admits as much in his brief. Consequently, the issue was not preserved for review. *See Nunez v. State*,

¹Appellant also suggests that he received ineffective assistance of counsel but, then, states that he will not pursue the matter via this direct appeal. Thus, we will not address it either.

No. 07-11-0475-CR, 2013 Tex. App. LEXIS 5480 (Tex. App.–Amarillo, May 1, 2013, no pet.) (mem. op., not designated for publication) (holding that because appellant failed to raise the issue about the voluntariness of his statement before the trial court, it was not preserved for review); see also *Saldano v. State*, 70 S.W.3d 873, 888-89 (Tex. Crim. App. 2002) (explaining that only certain fundamental errors, such as the right to assistance of counsel and the right to trial by jury, may be raised for the first time on appeal). And, we overrule it.

Accordingly, the judgment of the trial court is affirmed.

Per Curiam

Do not publish.