



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-11-00056-CR

MARQUAUS SEYNI SIMMONS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 102nd Judicial District Court
Red River County, Texas
Trial Court No. CR01274

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Moseley

MEMORANDUM OPINION

Marquaus Seyni Simmons was adjudicated guilty of possession of cocaine in an amount of one gram or more but less than four grams, and was sentenced to fifteen years' imprisonment. Simmons complains that while the State "filed a motion to adjudicate guilt alleging five violations of his terms and conditions," of the previously ordered community supervision, "[t]he State then filed an amended motion to adjudicate guilt which did not allege any grounds." In light of this, Simmons argues that the trial court was without jurisdiction to hear the motion to adjudicate.

It appears that clerical error led to the omission of pages two and three of the State's amended motion to adjudicate when the record was initially requested. A supplemental clerk's record, which includes the omitted pages, clarifies that the amended motion to adjudicate did contain several grounds of community supervision allegedly violated by Simmons. Therefore, we overrule Simmons' sole issue.

We affirm the trial court's judgment.

Bailey C. Moseley
Justice

Date Submitted: August 15, 2011
Date Decided: August 16, 2011

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