



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

No. 06-18-00062-CR

BILLY KEITH BASYE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 336th District Court
Fannin County, Texas
Trial Court No. CR 16-25992

Before Morriss, C.J., Burgess and Moseley,* JJ.
Memorandum Opinion by Chief Justice Morriss

*Bailey C. Moseley, Justice, Retired, Sitting by Assignment

MEMORANDUM OPINION

Billy Keith Basye appeals from his conviction of aggravated assault with a deadly weapon and his resulting sentence of five years' confinement in prison.¹ Basye filed a single brief in which he raises issues identical to those raised in his appeal in our cause number 06-18-00060-CR. Specifically, Basye contends that the trial court erred (1) when it denied his motion for mistrial following what he contends was an argument by the State that was calculated to comment on his constitutional right to remain silent and (2) when it overruled his objection to the State's closing argument, which he contends included facts outside of the record.

We addressed these issues in detail in our opinion of this date in Basye's appeal in cause number 06-18-00060-CR. For the reasons stated therein, we likewise conclude that error has not been shown in this case.

We affirm the trial court's judgment.

Josh R. Morriss, III
Chief Justice

Date Submitted: December 21, 2018
Date Decided: January 14, 2019

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¹The State's indictment against Basye stated, in part, that on March 6, 2016, in Fannin County,

BILLY KEITH BASYE, did then and there intentionally, knowingly, and recklessly cause bodily injury to Dominique Larson by causing the motor-vehicle in which Rachel Roberts was driving and transporting Dominique Larson to collide with a motor-vehicle being driven by the defendant, and the defendant did then and there use or exhibit a deadly weapon, to-wit: a motor vehicle, during the commission of the assault.