



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

No. 06-23-00039-CR

MICAH DAVID BROWN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 4th District Court
Rusk County, Texas
Trial Court No. CR21-131

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Justice van Cleef

MEMORANDUM OPINION

Micah David Brown entered an open plea of guilty to intoxication assault with a motor vehicle causing serious bodily injury. After a bench trial on punishment, the trial court sentenced Brown to eight years' imprisonment. On appeal, Brown argues (1) that the trial court did not allow him to comment on his presentence investigation report during the sentencing hearing and (2) that his counsel "was ineffective in failing to object to this oversight."¹

We addressed Brown's points of error in detail in our opinion of this date on Brown's appeal in cause number 06-23-00038-CR. For the reasons stated therein, we likewise conclude in this appeal that Brown failed to preserve his first point of error and cannot show that his counsel rendered ineffective assistance on a silent record. As a result, we affirm the trial court's judgment.

Charles van Cleef
Justice

Date Submitted: June 30, 2023
Date Decided: July 6, 2023

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¹In companion cause number 06-23-00038-CR, Brown appeals his conviction for intoxication manslaughter with a motor vehicle.