



**IN THE
TENTH COURT OF APPEALS**

No. 10-08-00150-CR

WILLIAM BENJAMIN WATSON,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 85th District Court
Brazos County, Texas
Trial Court No. 07-01143-CRF-85**

MEMORANDUM OPINION

William Benjamin Watson was convicted of two counts of sexual assault of a child. TEX. PENAL CODE ANN. § 22.011 (Vernon Supp. 2008). He was sentenced to 5 years in prison on each count. The sentences were suspended and Watson was placed on community supervision. Because Watson waived any error in the admission of evidence, the trial court's judgment is affirmed.

In three issues, Watson complains that the trial court erred in admitting three recorded statements made by Watson. These statements were the subject of a hearing

on a motion to suppress conducted immediately prior to trial. The motion was overruled. However, when the State offered each statement into evidence during the trial, Watson affirmatively stated that he had “no objection” to the admission of each statement.

When a pretrial motion to suppress evidence is overruled, a defendant need not object subsequently at trial in order to preserve error. *Moraguez v. State*, 701 S.W.2d 902, 904 (Tex. Crim. App. 1986); *Klapesky v. State*, 256 S.W.3d 442, 449 (Tex. App.—Austin 2008, pet. ref’d). However, when the defendant affirmatively asserts during trial that he has “no objection” to the admission of the complained-of evidence, he waives any error in the admission of the evidence. *Moody v. State*, 827 S.W.2d 875, 889 (Tex. Crim. App. 1992); *Moraguez*, 701 S.W.2d at 904; *Klapesky*, 256 S.W.3d at 449.

Because Watson stated affirmatively that he had no objection to the complained-of statements, he waived any error in the admission of those statements. Accordingly, issues one, two, and three are overruled.

The trial court’s judgments are affirmed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Affirmed
Opinion delivered and filed October 7, 2009
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