



**IN THE
TENTH COURT OF APPEALS**

No. 10-08-00332-CR

JAMES RILEY LEMONS,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the County Court at Law
Walker County, Texas
Trial Court No. 08-1160**

MEMORANDUM OPINION

A jury found Appellant James Riley Lemons guilty of the offense of burglary of a vehicle and assessed his punishment at one year's confinement in the Walker County Jail and a \$2,000 fine. In two issues, Lemons contends that the trial court admitted evidence of his prior crimes in violation of Texas Code of Criminal Procedure article 37.07, section 3(g) and Texas Rule of Evidence 609(b). Lemons's issues specifically complain of the admission of State's exhibits 2, 3, 6, 7, 8, 9, 10, and 11 during the punishment phase of his trial. But these exhibits were all admitted without objection.

Therefore, Lemons's issues have not been preserved for review. See TEX. R. APP. P. 33.1(a); *Rogers v. State*, 291 S.W.3d 148, 151 (Tex. App.—Texarkana 2009, pet. ref'd) (“To preserve error for appellate review: (1) the complaining party must make a timely objection specifying the grounds for the objection, if the grounds are not apparent from the context; (2) the objection must be made at the earliest possible opportunity; and (3) the complaining party must obtain an adverse ruling from the trial court.”); *Hartson v. State*, 59 S.W.3d 780, 787-88 (Tex. App.—Texarkana 2001, no pet.) (appellant's issue complaining of State's failure to provide notice of its intent to use prior bad act was not preserved because no similar objection had been made to evidence at trial).

We overrule Lemons's issues and affirm the trial court's judgment.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Reyna, and
Justice Davis

Affirmed
Opinion delivered and filed July 28, 2010
Do not publish
[CR25]