

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-03-00597-CR

Paul J. Stautzenberger, Appellant

v.

The State of Texas, Appellee

**FROM THE COUNTY COURT AT LAW OF COMAL COUNTY
NO. 2003CR0881A, HONORABLE BRENDA CHAPMAN, JUDGE PRESIDING**

MEMORANDUM OPINION

Paul J. Stautzenberger was convicted in justice of the peace court for driving without being secured by a safety belt. *See* Tex. Transp. Code Ann. § 545.413(a) (West Supp. 2004-05). He was again convicted on appeal by trial de novo in the county court at law. The latter court assessed a \$100 fine.

Stautzenberger represents himself on appeal, as he did at trial. No brief was tendered for filing. *See* Tex. R. App. P. 38.8(b)(4) (consideration of appeal without briefs). Because the fine does not exceed \$100 and no issue of the constitutionality of section 545.413(a) has been raised, this Court is without jurisdiction. Tex. Code Crim. Proc. Ann. art. 4.03 (West 2005).

The appeal is dismissed for want of jurisdiction.

Bea Ann Smith, Justice

Before Chief Justice Law, Justices B. A. Smith and Pemberton

Dismissed for Want of Jurisdiction

Filed: May 26, 2005

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