



NUMBER 13-09-00476-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

MICHAEL ALVAREZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 319th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Rodriguez, Benavides, and Vela
Memorandum Opinion by Justice Rodriguez**

Appellant Michael Alvarez challenges his conviction for family violence assault, a third-degree felony, for which he was sentenced to four years' imprisonment. See TEX. PENAL CODE ANN. § 22.01(a)(1), (b)(2)(A) (Vernon Supp. 2009). By two issues, Alvarez

argues that the trial court erred in (1) allowing hearsay evidence, and (2) admitting prior acts of misconduct. We affirm.

I. BACKGROUND

Alvarez was indicted as follows:

[T]hat [Alvarez], on or about February 24, 2008, . . . did then and there intentionally, knowingly or recklessly cause bodily injury to Alice Alvarez, a member of the defendant's family or a member of the defendant's household, . . . by placing her in fear of serious bodily injury and causing her bodily injury and causing her bodily injury and pain [sic].

See id. The indictment also alleged that Alvarez had been previously convicted of family violence assault in June 2007.

Alvarez pleaded not guilty to the charge, and the case was tried to a jury. The jury returned a verdict of guilty, and the trial court sentenced Alvarez to four years' incarceration in the Institutional Division of the Texas Department of Criminal Justice. This appeal ensued.

II. DISCUSSION

By two issues, Alvarez complains of the admission of hearsay and prior acts of misconduct. However, aside from the general assertion of his issues, we are unable to discern the exact nature of Alvarez's arguments because, in his brief, he does not direct the Court to the portions of the record that contain the alleged errors, if any, by the trial court and provides no substantive legal analysis of his apparent complaints. *See* TEX. R. APP. P. 38.1(i); *Segundo v. State*, 270 S.W.3d 79, 106 (Tex. Crim. App. 2008) (op. on reh'g) (citing *Alvarado v. State*, 912 S.W.2d 199, 210 (Tex. Crim. App. 1995)) (other citations omitted) (explaining that it is not a reviewing court's responsibility to wade through

the record in an attempt to verify an appellant's claims). The substance of Alvarez's argument is not apparent from his statement of facts. And the argument portion of his brief consists almost entirely of block quotes from cases without any attendant analysis that would aid the Court in deciphering Alvarez's arguments. See *Busby v. State*, 253 S.W.3d 661, 673 (Tex. Crim. App. 2008) (holding that a reviewing court has "no obligation to construct and compose appellant's issues, facts, and arguments"). We therefore conclude that Alvarez has inadequately briefed his issues on appeal and thus waived any review by this Court. See *Garza v. State*, 290 S.W.3d 489, 491 (Tex. App.—Corpus Christi 2009, pet. ref'd). Alvarez's issues are overruled.

III. CONCLUSION

The judgment of the trial court is affirmed.

NELDA V. RODRIGUEZ
Justice

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TEX. R. APP. P. 47.2(b).

Delivered and filed the
5th day of August, 2010.