



One Fabulous Skyline

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§ Vol. 9, No. 4; January 29, 2001

Case Name: *Amador Pina v. The State of Texas*

- **OFFENSE:** Capital Murder - Life Sentence
- **COUNTY:** Fannin
- **CA CASE No.** 06-99-0082-CR
- **DATE OF OPINION:** January 17, 2001
- **DISPOSITION:** Conviction Affirmed

§ 48 **Confessions / Oral Statements (No Recording)** - Where Appellant was giving written confession and officer who took confession during trial also testified to **other oral statements** made by Appellant during interrogation session, court initially finds that the oral statements made by Appellant were, in fact, "statements" covered by Article 38.22, which were not tape-recorded as required by statute; however, court finds that Appellant's objections did not sufficiently perfect the error since the objections were not made to the officer's testimony as he was giving it, thus court finds that these complaints with regard to admission of an oral statement, where defense was not given preliminary 20 day notice of such statements were waived; however, court recognizes that this was a close issue, thus they review error anyway and find that is not "constitutional" error and since Appellant did confess, and written confession was before jury, error was harmless.