IN THE MUNICIPAL COURT OF APPEALS

OF THE CITY OF EL PASO, TEXAS

LAURA ABRAHAM, Appellant

v. 83-MCA-424

STATE OF TEXAS, Appellee

OPINION

Appellant appeals her conviction in Municipal Court for the offense of speeding. A statement of facts contained in the record, which has been reviewed by this Court, supports Appellant's contention that the evidence is insufficient to sustain the conviction.

Although the evidence clearly reflects that a certain vehicle was travelling in excess of the speed limit, the record does not reflect that the Defendant was identified as the driver of such vehicle. Failure to so establish the Defendant's culpability renders the evidence insufficient.

The Judgment is reversed and rendered in Appellant's favor.

Signed this 25 day of Oct, 1984

JUDGE

JUDGMENT

This case came on to be heard, the same being considered, because it is the opinion of this Court that there was error in the Judgment, it is ORDERED, ADJUDGED and DECREED by the Court that the Judgment be in all things reversed and rendered in Appellant's favor, and judgment of acquittal be entered in his behalf.

Signed this 25 day of Oct, 1984.

JUDGE