IN THE MUNICIPAL COURT OF APPEALS

OF THE CITY OF EL PASO, TEXAS

STEPHEN FEINBERG, Appellant

vs. NO. 85-MCA-1297

STATE OF TEXAS, Appellee

O P I N I O N

Appellant appeals his conviction in Municipal Court for a speeding violation.

The record reflects that the Appellant timely requested the Court Reporter to prepare a statement of facts, but through no fault of his own he has been unable to secure a transcription of that statement of facts to be included in this record. In such circumstances, the Appellant is entitled to a new trial. Ibanez v. State, 83-MCA-456 (Mun. Ct.App.). Timmons v. State, 586 SW2d 509 (Ct.Crim.App. - 1979).

Therefore the Judgment of the Trial Court is reversed and this cause remanded for new trial.

Signed this 30 day of August, 1985.

JUDGE

J U D G M E N T

The Judgment of The Trial Court is hereby reversed and the case is remanded for new trial.

Signed this 30 day of August, 1985.

JUDGE