

Affirmed and Opinion filed April 20, 2000.



In The

## **Fourteenth Court of Appeals**

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**NO. 14-98-00949-CR**

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**TINA JONES, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 228<sup>th</sup> District Court  
Harris County, Texas  
Trial Court Cause No. 658,949**

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### **O P I N I O N**

Tina Jones, appellant, pleaded guilty to the offense of securing execution of a document by deception (welfare fraud violation) and was placed on ten years' probation. The trial court subsequently granted the State's motion to revoke probation and reformed appellant's sentence to four years' confinement in the Texas Department of Criminal Justice. She presents four points of error alleging fundamental error in the violation of her constitutional rights to compulsory process. We affirm.

A discussion of the underlying facts of the case is unnecessary. Appellant argues that prior to accepting her plea of guilty, the trial court should have required the State to put on evidence of the offense, and have obtained a written waiver of her rights to compulsory process. As noted by the State, these

arguments are not new, and were rejected by this Court as far back as 1984 in *Vanderburg v. State*, 681 S.W.2d 713, 716 (Tex. App. – Houston [14<sup>th</sup> Dist.] 1984, pet. ref'd); by our sister court in *Lyles v. State*, 745 S.W.2d 567, 568 (Tex. App. – Houston [1<sup>st</sup> Dist.] 1988, pet. ref'd), and by other Texas courts in numerous unpublished opinions thereafter and as recently as a few months ago. *Vanderburg* and *Lyles* remain valid and controlling law on the issues raised by appellant, and we see no need to reiterate the reasoning and holdings of those cases here. Until and unless directed by our Texas Court of Criminal Appeals, we decline appellant's invitation to overturn this line of cases by adopting contrary case law from Michigan, Ohio and Arizona.

Appellant's four points of error are overruled, and the judgment is affirmed.

/s/ Bill Cannon  
Justice

Judgment rendered and Opinion filed April 20, 2000.

Panel consists of Justices Sears, Cannon and Draughn.\*

Do Not Publish — TEX. R. APP. P. 47.3(b).

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\* Senior Justices Ross A. Sears, Bill Cannon and Joe L. Draughn sitting by assignment.