Affirmed and Opinion filed November 9, 2000.

In The

Fourteenth Court of Appeals

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NO. 14-98-01318-CR

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LEE VERNON JOHNSON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 262nd District Court
Harris County, Texas
Trial Court Cause No. 794,006

O P I N I O N

Lee Vernon Johnson appeals from his jury conviction of delivery of cocaine. The jury assessed his punishment at 39 years' imprisonment, enhanced by three prior felony convictions. In one issue, appellant contends the trial court erred in denying his motion to suppress without hearing his evidence. We affirm.

On July 15, 1998, at about 11:00 p.m., undercover police officer K. Y. King was working narcotics in Houston when appellant flagged her car down. Appellant asked King what she was looking for, and King told him she was looking for some "cheese," which is street

slang for crack cocaine. Appellant directed King to the next street, and appellant and King discussed the transaction in front of appellant's house. After King agreed to buy $20.00 worth of crack cocaine, appellant told King to follow him into his house. Once in the house, appellant got two "rocks" from the back bedroom, and gave them to King. King paid appellant for the cocaine with a marked $20.00 bill. Uniformed officers were notified of the transaction, and they arrested appellant.

Appellant asserts that the trial court erred in overruling his motion to suppress evidence without allowing him the opportunity to introduce evidence in support of his motion. Appellant failed to file a written pretrial motion to suppress, and we find no oral motion in the record. After hearing Officer King's testimony, the State presented Officer Bailey to testify about appellant's arrest. Officer Bailey testified that he had forcefully entered appellant's house to arrest him, and found appellant in the back room of his house. At this point, appellant's counsel asked to approach the bench, and the trial court denied his request. Appellant's counsel then stated: "I'm going to object to this then, the entire line of testimony with regards to the motion." The trial court overruled the objection. When State resumed direct examination of Officer Bailey, the trial court interrupted Bailey's testimony about the results of his search, and told appellant's counsel, "[Y]our motion's denied." Counsel approached the bench where an off-record discussion was held. The State resumed direct examination of Officer Bailey, and appellant's counsel said, "just for the record, I need to object to this." The trial court granted appellant a running objection.

Appellant offered no specific grounds for his objection, and the nature of the "motion" was not stated for the record. On appeal, appellant contends that when he objected, "the jury should have been removed from the courtroom and both sides allowed to introduce testimony on the Motion to Suppress Evidence." As we understand appellant's complaint, the trial court should have *sua sponte* excused the jury when appellant's counsel offered a general "objection" on and unspecified "motion," and heard evidence on the "motion." We disagree.

A motion to suppress evidence is a specialized objection regarding the admissibility of evidence. *Galitz v. State*, 617 S.W.2d 949, 952 n. 10 (Tex.Crim.App.1981); *Bradley v. State*, 960 S.W.2d 791, 800 (Tex.App.-El Paso 1997, pet. ref'd). A motion must adhere to the requirements of an objection. *Mayfield v. State*, 800 S.W.2d 932, 935 (Tex.App.--San Antonio 1990, no pet.). An accused may not rely upon an objection on appeal not raised in the trial court. *Thomas v. State*, 723 S.W.2d 696, 700 (Tex.Crim.App.1986). The defense must have stated specifically the basis for the objection unless the particular ground was apparent from the context. TEX. R. EVID. 103(a)(1); TEX. R. APP. P. 33.1(a)(1)(A); *Ethington v. State*, 819 S.W.2d 854, 858 (Tex.Crim.App. 1991). Appellant's "motion" was not of record, nor was it identified or explained. Appellant's objection was a general objection and the grounds are not apparent from the context of his objection. Appellant has preserved nothing for us to review. We overrule appellant's contentions in issue one that the trial court erred in not granting him a hearing on his motion to suppress.

We affirm the judgment of the trial court.

/s/ Bill Cannon
Justice

Judgment rendered and Opinion filed November 9, 2000.
Panel consists of Justices Sears, Cannon, and Hutson-Dunn.*
Do Not Publish — TEX. R. APP. P. 47.3(b).

*Senior Justices Ross A. Sears, Bill Cannon, and D. Camille Hutson-Dunn sitting by assignment.