

Adventures in Error Preservation

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Tex. R. App. P. 33.1(a)

Timely Objection or Request



Sufficiently Specific



Ruled or Refused

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Federal Standard

- “To preserve error, an objection must be sufficiently specific to alert the district court to the nature of the alleged error and to provide an opportunity for correction.” *U.S. v. Neal*, 578 F.3d 270, 272 (5th Cir. 2009)
- If not preserved, limited to plain error.

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Scenario

Opponent's summary-judgment response includes an affidavit, but the affidavit lacks a jurat.

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Suggestion

- Object
- A missing jurat is a procedural defect that can be waived if no objection is raised in the trial court.
- *The Mansions in the Forest L.P. v. Montgomery County*, 365 S.W.3d 314 (Tex. 2012)

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