

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-12-00335-CR

Jonathan Wayne **TARVIN**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 226th Judicial District Court, Bexar County, Texas  
Trial Court No. 2012CR0234  
Honorable Andrew Carruthers, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Santee Bryan Marion, Justice

Delivered and Filed: June 27, 2012

DISMISSED FOR LACK OF JURISDICTION

Appellant filed a notice of appeal seeking to appeal an agreed judgment of incompetency, finding appellant incompetent to stand trial pursuant to article 46B.005 of the Texas Code of Criminal Procedure and committing him to a state hospital for 120 days. The agreed judgment is not appealable. *See* TEX. CODE CRIM. PROC. art. 46B.011; *Queen v. State*, 212 S.W.3d 619, 622-23 (Tex. App.—Austin 2006, no pet.).

On June 5, 2012, appellant was ordered to show cause in writing why this appeal should not be dismissed for lack of jurisdiction. Appellant did not respond to this court's order. Because the agreed judgment is not appealable, this appeal is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH