



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

**MEMORANDUM OPINION**

Nos. 04-17-00210-CR, 04-17-00211-CR, 04-17-00212-CR

**EX PARTE** Adrian **GUTIERREZ**

From the 290th Judicial District Court, Bexar County, Texas  
Trial Court Nos. 2017CR0412, 2017CR0413, 2017CR0414  
Honorable Melisa Skinner, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice  
Irene Rios, Justice

Delivered and Filed: May 24, 2017

DISMISSED FOR WANT OF JURISDICTION

On January 13, 2017, Appellant filed pretrial applications for writs of habeas corpus in three related causes, and the trial court denied all three applications. Because the record indicated the trial court did not consider or rule on the merits of the petitions, on April 20, 2017, we ordered Appellant to show cause in writing why this court has jurisdiction in these appeals.

On May 10, 2017, Appellant filed a response conceding that this court lacks jurisdiction in these appeals. *See Purchase v. State*, 176 S.W.3d 406, 407 (Tex. App.—Houston [1st Dist.] 2004, no pet.) (“There is no right of appeal from a refusal to issue a writ of habeas corpus when the trial court did not consider and resolve the merits of the petition.”); *see also Ex parte Jagneaux*, 315 S.W.3d 155, 156 (Tex. App.—Beaumont 2010, no pet.) (“This Court’s jurisdiction depends on whether the trial court ruled on the merits of the application for habeas relief, rather than simply

ruling on the request for issuance of a writ.”); *Ex parte Bowers*, 36 S.W.3d 926, 927 (Tex. App.—Dallas 2001, pet. ref’d) (“Neither the order—nor anything else in the record before us—reflects that the trial court considered the merits of appellant’s petition.”).

Because this court lacks jurisdiction, we have no option but to dismiss these appeals for want of jurisdiction. *See Olivo v. State*, 918 S.W.2d 519, 523 (Tex. Crim. App. 1996); *Ex Parte Blunston*, No. 04-12-00657-CV, 2013 WL 3874471, at \*2 (Tex. App.—San Antonio July 24, 2013, no pet.) (mem. op., not designated for publication). These appeals are dismissed for want of jurisdiction.

PER CURIAM

DO NOT PUBLISH