

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00564-CR

MORRIS ALEXANDER WISE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 359th District Court
Montgomery County, Texas
Trial Cause No. 11-09-10241-CR

MEMORANDUM OPINION

Alexander Wise filed this appeal from the trial court's order denying his motion to reduce bond. Wise argued to the trial court and contends on appeal that the bond of \$300,000 initially set by the trial court is excessive, and he requested in his motion before the trial court that it be reduced to \$25,000. After conducting an evidentiary hearing, the trial court denied the motion. *See* Tex. Const. art. I, § 11.

We do not have authority to dispose of a pending controversy unless our jurisdiction has been properly invoked. *See Keaton v. State*, 294 S.W.3d 870, 871 (Tex.

App.—Beaumont 2009, no pet.) (citing *White v. State*, 61 S.W.3d 424, 428 (Tex. Crim. App. 2001)). This is not an appeal from a pretrial habeas corpus proceeding. The trial court's writ of habeas corpus jurisdiction must be invoked by following the procedure provided in the Texas Code of Criminal Procedure. *Jordan v. State*, 54 S.W.3d 783, 786 (Tex. Crim. App. 2001). Wise did not file a petition for writ of habeas corpus with the trial court. We lack appellate jurisdiction over an appeal from an interlocutory pretrial order refusing to reduce bail. *Keaton*, 294 S.W.3d at 873. The appeal is dismissed.

APPEAL DISMISSED.

DAVID GAULTNEY
Justice

Submitted on December 7, 2011
Opinion Delivered December 21, 2011
Do Not Publish

Before McKeithen, C.J., Gaultney and Kreger, JJ.