

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-17-00362-CR

EDUARDO CASTILLO GUADALUPE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 435th District Court
Montgomery County, Texas
Trial Cause No. 98-07-00880-CR

MEMORANDUM OPINION

Eduardo Castillo Guadalupe filed a notice of appeal from a trial court order denying his request for a free reporter's record of his trial. We questioned our jurisdiction, and the parties filed responses. According to the State, Guadalupe's conviction in this case was affirmed on appeal in February 2000 and the Court of

Criminal Appeals denied Guadalupe’s habeas petition in 2002.¹ Guadalupe filed a response but failed to establish that a post-conviction proceeding concluded with the signing of an order that is appealable at this time.

“No statute vests this court with jurisdiction over an appeal from an order denying a request for a free copy of the trial record when such a request is not presented in conjunction with a timely filed direct appeal.” *Clegg v. State*, 214 S.W.3d 671, 671 (Tex. App.—Waco 2007, no pet.). We dismiss the appeal for lack of jurisdiction.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on October 31, 2017
Opinion Delivered November 1, 2017
Do Not Publish

Before Kreger, Horton and Johnson, JJ.

¹ See generally *Guadalupe v. State*, No. 09-99-076 CR, 2000 WL 192139, at *1 (Tex. App.—Beaumont Feb. 16, 2000, no pet.) (mem. op., not designated for publication).