



**IN THE
TENTH COURT OF APPEALS**

**No. 10-20-00167-CR
No. 10-20-00168-CR
No. 10-20-00169-CR
No. 10-20-00170-CR
No. 10-20-00171-CR
No. 10-20-00172-CR**

CHARLES JOSHUA RAINES,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 85th District Court
Brazos County, Texas
Trial Court Nos.
13-05345-CRM-85; 15-04964-CRM-85; 16-04795-CRM-85;
16-04629-CRM85; 16-04759-CRM-85; and 19-03987-CRF-85**

MEMORANDUM OPINION

Charles Raines attempts to appeal the trial court's order withdrawing its grant of Raines's motion for speedy trial in each of his six criminal cases. Raines has not yet been convicted in any of these cases; thus, these appeals are interlocutory. *See* TEX. R. APP. P. 26.2(a) (notice of appeal due within specified time period after sentence is

imposed or suspended in open court or after trial court enters appealable order).

The law is clear in Texas that we have no jurisdiction of an interlocutory appeal of the denial of a motion for speedy trial. *See Ex parte Delbert*, 582 S.W.2d 145, 146 (Tex. Crim. App. [Panel Op.] 1979) (citing *Ordunez v. Bean*, 579 S.W.2d 911 (Tex. Crim. App. 1979)); *see United States v. MacDonald*, 435 U.S. 850, 862, 98 S. Ct. 1547, 56 L. Ed. 2d 18 (1978) ("Allowing an exception to the rule against pretrial appeals in criminal cases for speedy trial claims would threaten precisely the values manifested in the Speedy Trial Clause."). It follows, then, that we have no jurisdiction of an interlocutory appeal of the trial court's decision to withdraw an order granting a motion for speedy trial.

A court has jurisdiction over criminal appeals only when expressly granted by law. *See Abbott v. State*, 271 S.W.3d 694, 696-97 (Tex. Crim. App. 2008) (standard for determining jurisdiction is not whether appeal is precluded by law, but whether appeal is authorized by law); *Everett v. State*, 91 S.W.3d 386, 386 (Tex. App.—Waco 2002, no pet.). No law authorizes the interlocutory appeal of the trial court's order.

Accordingly, we have no jurisdiction of these appeals and they are dismissed.

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill
Appeals dismissed
Opinion delivered and filed July 9, 2020
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