

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00617-CR

Rhett Webster Pease, Appellant

v.

The State of Texas, Appellee

**FROM THE COUNTY COURT AT LAW NO. 5 OF TRAVIS COUNTY
NO. 586435, HONORABLE GISELA D. TRIANA, JUDGE PRESIDING**

Rhett Webster Pease filed a notice of interlocutory appeal seeking a determination by this Court as to whether or not the county court [at law] has any jurisdiction in this matter, a prosecution for resisting arrest. The notice states that the specific issue Pease seeks to address by this interlocutory appeal is whether or not de-facto officers can charge defendant with resisting arrest without warrant supported by affidavit.

Courts of appeals do not have jurisdiction to consider interlocutory appeals unless that jurisdiction has been expressly granted by law. *Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). There is no statutory provision granting a right to appeal the matter at issue here before a final judgment has been rendered.

The appeal is dismissed for want of jurisdiction.

David Puryear, Justice

Before Chief Justice Aboussie, Justices Patterson and Puryear

Dismissed for Want of Jurisdiction

Filed: October 17, 2002

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