



NUMBER 13-15-00553-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

CYNTHIA LORENA GONZALEZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the County Court at Law No. 2
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Memorandum Opinion Per Curiam**

Appellant, Cynthia Lorena Gonzalez, filed a notice of appeal on September 24, 2015. Appellant sought to appeal an order entered on September 23, 2015, denying her motion to suppress. Our review of the documents before the Court shows that appellant's case is still pending in the trial court.

On November 23, 2015, the Clerk of this Court notified appellant that it appeared that the order from which the appeal was taken was not an appealable order, and requested correction of this defect within ten days or the appeal would be dismissed. Appellant has not responded to the Court's notice.

Generally, a state appellate court only has jurisdiction to consider an appeal by a criminal defendant where there has been a final judgment of conviction. *Workman v. State*, 170 Tex. Crim. 621, 343 S.W.2d 446, 447 (1961); *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.). An adverse ruling on a pretrial motion such as a motion to suppress is not a final appealable judgment. *Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). An appellant may challenge the denial of a motion to suppress as part of the appeal from the conviction.

The Court is of the opinion that we do not have jurisdiction over an appeal from the denial of a pretrial motion to suppress. Accordingly, this appeal is DISMISSED for want of jurisdiction.

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Delivered and filed the
10th day of December, 2015.