



**NUMBER 13-20-00058-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**CAVU MANGUM,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On appeal from the 329th District Court  
of Wharton County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justice Contreras and Justices Longoria and Hinojosa  
Memorandum Opinion by Justice Longoria**

Appellant, Cavu Mangum, pro se, filed a notice of appeal on January 27, 2020, from a criminal case currently pending against him in the 329th District Court of Wharton County, Texas. We dismiss the appeal.

A defendant's notice of appeal must be filed within thirty days after the trial court enters an appealable order. See TEX. R. APP. P. 26.2(a)(1). A notice of appeal which

complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. *Id.* Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

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.). Exceptions to the general rule include: (1) certain appeals while on deferred adjudication community supervision, *Kirk v. State*, 942 S.W.2d 624, 625 (Tex. Crim. App. 1997); (2) appeals from the denial of a motion to reduce bond, TEX. R. APP. P. 31.1; *McKown*, 915 S.W.2d at 161; and (3) certain appeals from the denial of habeas corpus relief, *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.); *McKown*, 915 S.W.2d at 161.

Our review of the documents before the Court shows that appellant's case is still pending in the trial court and it does not reveal any appealable orders entered by the trial court within thirty days before the filing of appellant's notice of appeal. Moreover, the notice of appeal cannot be construed as premature because it was filed before the trial court has made a finding of guilt or has received a jury verdict. See TEX. R. APP. P. 27.1(b).

The Court, having examined and fully considered the notice of appeal and motions filed by appellant, is of the opinion that there is not an appealable order and this Court

lacks jurisdiction over the matters herein. Accordingly, this appeal is DISMISSED for lack of jurisdiction. All pending motions are DISMISSED as moot.

NORA L. LONGORIA  
Justice

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

Delivered and filed the  
9th day of April, 2020.