

NO. 12-12-00411-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*NIJINSKI TYONE MURPHY,
APPELLANT*

§

APPEAL FROM THE 420TH

V.

§

JUDICIAL DISTRICT COURT

*THE STATE OF TEXAS,
APPELLEE*

§

NACOGDOCHES COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

Appellant Nijinski Tyone Murphy was convicted of aggravated assault with a deadly weapon and sentenced to imprisonment for eight years. The sentence was suspended for ten years, and Appellant was placed on community supervision. He filed a notice of appeal in this court, but later filed a motion to dismiss the appeal. The motion was granted, and the appeal was dismissed. See *Murphy v. State*, No. 12-10-00169-CR, 2010 WL 4157145 (Tex. App.–Tyler Oct. 20, 2010, no pet.) (mem. op., not designated for publication). This court’s mandate issued on December 10, 2010.

On December 4, 2012, Appellant filed another notice of appeal that referred to the same trial court cause number. This court immediately notified Appellant, pursuant to Texas Rule of Appellate Procedure 37.2, that the information received in this appeal does not contain a final judgment or other appealable order. Appellant was further informed that the appeal would be dismissed if the information received in the appeal was not amended on or before January 7, 2013, to show the jurisdiction of this court. This deadline has now passed, and Appellant has not shown

the jurisdiction of this court.

Because Appellant has not shown the jurisdiction of this court, the appeal is *dismissed for want of jurisdiction*. See TEX. R. APP. P. 37.1, 42.3.

Opinion delivered January 16, 2013.

Worthen, C.J., Griffith, J., and Hoyle, J.

(DO NOT PUBLISH)



COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT

JANUARY 16, 2013

NO. 12-12-00411-CR

NIJINSKI TYONE MURPHY,

Appellant

V.

THE STATE OF TEXAS,

Appellee

Appeal from the 420th Judicial District Court
of Nacogdoches County, Texas. (Tr.Ct.No. F0916943)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this court is without jurisdiction of the appeal, and that the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed for want of jurisdiction**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.