

NO. 12-16-00008-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***MARQUEL SCOTT,
APPELLANT***

§ ***APPEAL FROM THE 7TH***

V.

§ ***JUDICIAL DISTRICT COURT***

***THE STATE OF TEXAS,
APPELLEE***

§ ***SMITH COUNTY, TEXAS***

***MEMORANDUM OPINION
PER CURIAM***

Appellant, Marquel Scott, attempts to appeal from the trial court's order denying his motion for a free copy or a loaned copy of the reporter's record related to his felony conviction.

Appellant was convicted of murder and sentenced to imprisonment for eighty years. This court affirmed his conviction. *See generally Scott v. State*, No. 12-14-00011-CR, 2015 WL 1957683 (Tex. App.—Tyler Apr. 30, 2015, pet. ref'd) (mem. op., not designated for publication). On November 23, 2015, Appellant filed a motion in the trial court seeking a free copy or a loaned copy of the reporter's record from his criminal trial for use in preparing an application for a postconviction writ of habeas corpus. The trial court denied the motion on November 30, 2015, and Appellant filed a notice of appeal on the same date.

In criminal matters, appellate courts have jurisdiction only of appeals that are authorized by law. *Abbott v. State*, 271 S.W.3d 694, 696-97 (Tex. Crim. App. 2008). In this case, we have not found any rule or any statutory or constitutional provision that would authorize an appeal from the trial court's order denying Appellant's request for a free or loaned copy of the reporter's

record. Accordingly, we *dismiss* the appeal for want of jurisdiction.¹ See *Staley v. State*, 233 S.W.3d 337, 338 (Tex. Crim. App. 2007) (dismissing appeal not authorized by law).

Opinion delivered January 29, 2016.

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

(DO NOT PUBLISH)

¹ On January 14, 2016, the clerk of this Court notified Appellant that the appeal would be dismissed if the clerk's record was not amended, on or before January 25, 2016, to show the jurisdiction of this Court. That deadline has passed, and the clerk's record has not been amended as requested.



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JANUARY 29, 2016

NO. 12-16-00008-CR

MARQUEL SCOTT,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 7th District Court
of Smith County, Texas (Tr.Ct.No. 007-0154-13)

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., Hoyle, J. and Neeley, J.