



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-0521-21

GUY DOUGLAS MELTON, Appellant

V.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE TENTH COURT OF APPEALS
JOHNSON COUNTY**

Per curiam.

OPINION

Appellant was convicted of attempted indecency with a child. *Melton v. State*, No. 10-21-00134-CR, (Tex. App. – Waco, June 30, 2021). The Court of Appeals dismissed his appeal for lack of jurisdiction after deciding it was an interlocutory appeal. Appellant has filed a petition for discretionary review.

We grant review on our own motion of the following ground:

Did the court of appeals err to conclude Appellant's appeal was an interlocutory appeal?

Although no clerk's record was filed, the reporter's record shows that Appellant pled guilty and was sentenced in accord with a plea bargain on June 10, 2021. Appellant filed a *pro se* notice of appeal on June 17, 2021. Accordingly, the record before us shows an appeal from a final judgment. The court of appeals erred to dismiss this appeal as an interlocutory appeal. We vacate the judgment of the court of appeals and remand this case to that court for further proceedings. Appellant's petition for discretionary review is refused without prejudice.

Delivered: October 6, 2021

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