



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

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**NO. AP-77,121**

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**GABRIEL PAUL HALL, Appellant**

**v.**

**THE STATE OF TEXAS**

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**ON DIRECT APPEAL FROM THE DENIAL OF APPELLANT'S MOTION TO  
FIND [APPELLANT'S] RIGHT TO DUE PROCESS IN THIS PROCEEDING  
WAS VIOLATED DUE TO ARTICLE 26.052 OF THE TEXAS CODE OF  
CRIMINAL PROCEDURE  
IN THE 272<sup>ND</sup> DISTRICT COURT  
BRAZOS COUNTY**

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*Per curiam.*

**O P I N I O N**

This is a direct appeal challenging the trial court's denial of Appellant's motion to declare that Article 26.052 violates due process, which motion Appellant filed in the 272<sup>nd</sup> District Court of Brazos County, Cause No. 11-06185-CRF-272, styled The State of Texas v. Gabriel Paul Hall. A defendant's right to appeal is a substantive right determined by the Texas Legislature. *See Bayless v. State*, 91 S.W.3d 801, 805 (Tex.

Crim. App. 2002) (defendant’s right to appeal is “a statutorily created right”). Nothing in the record before us shows that the ruling on this motion constitutes an “appealable order” under Texas Code of Criminal Procedure Article 44.02. Nor have we independently been able to find any such authority. Therefore, Appellant’s appeal is dismissed for want of jurisdiction. No motion for rehearing will be entertained and mandate shall issue immediately.

Delivered:                    March 27, 2024  
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