

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

LANCE JAVAUGHN BROWN,	§	No. 08-10-00220-CR
	§	
Appellant,	§	Appeal from
	§	
v.	§	379th District Court
	§	
THE STATE OF TEXAS,	§	of Bexar County, Texas
	§	
Appellee.	§	(TC # 2008CR10795)
	§	

MEMORANDUM OPINION

Lance Javaughn Brown is attempting to appeal from an order modifying the terms and conditions of community supervision. An order modifying the terms of probation is not subject to a direct appeal. *See* TEX.CODE CRIM.PROC.ANN. art. 42.12, §§ 22, 23(b)(Vernon Supp. 2010); *Basaldua v. State*, 558 S.W.2d 2, 5 (Tex.Crim.App. 1977)(an appellate court does not have jurisdiction to entertain an appeal from an order of the trial court modifying or refusing to modify the terms and conditions of probation). On July 26, 2010, the Clerk's Office notified Appellant that the Court intended to dismiss the appeal because the appellate record did not contain an appealable order. We provided Appellant an opportunity to file a response, but no response has been received. Accordingly, we dismiss the appeal for lack of jurisdiction.

September 29, 2010

ANN CRAWFORD McCLURE, Justice

Before Chew, C.J., McClure, and Rivera, JJ.

(Do Not Publish)