



COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

ERICA DAWN HAYWOOD,	§	No. 08-17-00031-CR
	§	
Appellant,	§	Appeal from the
	§	
v.	§	Municipal Court
	§	
THE STATE OF TEXAS,	§	of the City of El Paso, Texas
	§	
Appellee.	§	(TC# TR-2017-0000173)
	§	
	§	

**MEMORANDUM OPINION**

Erica Dawn Haywood has filed a *pro se* notice of appeal from a case pending in the Municipal Court of the City of El Paso, Texas. We dismiss the appeal for want of jurisdiction.

The El Paso Municipal Court is a court of record. Consequently, it is generally governed by the Uniform Municipal Courts of Record Act (UMCRA). *See* TEX.GOV'T CODE ANN. §§ 30.00001-30.00027 (West 2004 & West Supp. 2016); *State v. Rodriguez*, No. 08-15-00261-CR, 2016 WL 323737, at \*2 (Tex.App.--El Paso January 27, 2016, no pet.). The City of El Paso's municipal court system is also governed by the El Paso Courts Act. TEX.GOV'T CODE ANN. §§ 30.00121.-30.00164 (West 2004 & West Supp. 2016); *Rodriguez*, No. 08-15-00261-CR, 2016 WL 323737, at \*2; *Roman v. State*, No. 08-13-00019-CR, 2014 WL 886877, at \*1 (Tex.App.--El Paso March 5, 2014, no pet.). A defendant has the right to appeal a judgment of conviction in

the municipal court of record. *See* TEX.GOV'T CODE ANN. §30.00145 (West 2004). The El Paso Municipal Court of Appeals has jurisdiction over appeals from convictions in the municipal court of record. *See* TEX.GOV'T CODE ANN. §30.00145(a). The defendant has a limited right to appeal a decision of the El Paso Municipal Court of Appeals to the Eighth Court of Appeals in those cases where the fine assessed against the defendant exceeds \$100 and the judgment is affirmed by the appellate court (the El Paso Municipal Court of Appeals). *See* TEX.GOV'T CODE ANN. §30.00027(a)(West 2004).

Haywood attached several documents to her notice of appeal, but none of them reflect that the Municipal Court has entered a judgment of conviction. The documents show that Haywood has been charged with walking on a roadway, and she has posted bond in the amount of \$106. A document dated January 3, 2017, and bearing the signature of “Erica Haywood,” states that if the undersigned fails to appear at the date and time stated in the cash bond or at any time the court requires her personal appearance, she waives her right to a jury trial and enters a plea of nolo contendere to the charged offense. The undersigned acknowledged that the bond would be forfeited to satisfy the fine and court costs assessed by the court and her plea could result in a conviction appearing on either a criminal record or a driver’s license record. Even if the Municipal Court has entered a judgment of conviction, Haywood must first appeal to the Municipal Court of Appeals.<sup>1</sup>

The documents provided to the Court reflect that Haywood’s attempt to appeal is premature because the Municipal Court has not yet entered a judgment of conviction. Further, Haywood is not permitted to appeal directly from the Municipal Court to this Court because she

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<sup>1</sup> Haywood asserts in her notice of appeal that the Municipal Court of Appeals refused to accept her notice of appeal for filing. In order to perfect an appeal from a judgment of conviction in the Municipal Court, Haywood is required to file an appeal bond in accordance with the procedures set forth in Section 30.00147. *See* TEX.GOV'T CODE ANN. §30.00147(a). Merely filing a notice of appeal would not perfect the appeal.

must first appeal to the El Paso Municipal Court of Appeals. Accordingly, we dismiss the appeal for lack of jurisdiction.

GINA M. PALAFOX, Justice

February 28, 2017

Before McClure, C.J., Rodriguez, and Palafox, JJ.

(Do Not Publish)