



COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

ERIC FLORES,	§	No. 08-21-00133-CR
	§	Appeal from the
v.	§	120th District Court
THE STATE OF TEXAS,	§	of El Paso County, Texas
	§	(TC# 20110D01621)

**MEMORANDUM OPINION**

Eric Flores, pro se, has filed a document that we construe to be a notice of appeal relating to *State of Texas v. Eric Flores*, Cause No. 20110D01621, arising out of the 120th District Court. We dismiss for want of jurisdiction.

Flores was convicted of burglary of a building on January 28, 2016 in trial court cause number 20110D01621. On May 18, 2017, this Court issued an opinion affirming Flores' conviction in trial court cause number 20110D01621 arising out of the 120th District Court, and the Texas Court of Criminal Appeals refused his petition for discretionary review. *See Flores v. State*, No. 08-16-00025-CR, 2017 WL 2180705 (Tex.App.--El Paso May 18, 2017, pet. ref'd). Flores' conviction is thus final, and this Court does not have jurisdiction to entertain another appeal

from the same case.<sup>1</sup>

To the extent that Flores is requesting an out-of-time appeal, only the Court of Criminal Appeals has jurisdiction to grant Appellant an out-of-time appeal of his felony convictions. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241 (Tex.Crim.App. 1991) (en banc) (explaining that writ of habeas corpus pursuant to article 11.07 of the Texas Code of Criminal Procedure governs out-of-time appeals from felony convictions).

Accordingly, this attempted appeal is dismissed.

JEFF ALLEY, Justice

August 30, 2021

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

(Do Not Publish)

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<sup>1</sup> The Court previously dismissed another attempted out-of-time appeal from this conviction in October 2019. *See Flores v. State*, No. 08-19-00232-CR, 2019 WL 4892380, at \*1 (Tex.App.--El Paso Oct. 4, 2019, pet. ref'd).