

Opinion filed January 11, 2013



In The

Eleventh Court of Appeals

No. 11-12-00354-CV

GAYNEAL RAY BAKER, Appellant

V.

STATE OF TEXAS, Appellee

On Appeal from the 161st District Court

Ector County, Texas

Trial Court Cause No. B-20,933

MEMORANDUM OPINION

Gayneal Ray Baker has filed a pro se notice of appeal from an order to withdraw funds from his inmate trust account. Upon reviewing the documents filed in this court, we wrote appellant and informed him that it did not appear that this court had jurisdiction to entertain his appeal. We requested that appellant respond and show grounds to continue this appeal. *See* TEX. R. APP. P. 42.3. Appellant has responded to our letter by filing a notice of jurisdiction, but appellant's response fails to show grounds to continue this appeal.

Unless specifically authorized by statute, appeals may be taken only from final judgments. *Tex. A & M Univ. Sys. v. Koseoglu*, 233 S.W.3d 835, 840–41 (Tex. 2007); *Lehmann v. Har-Con Corp.*, 39 S.W.3d 191 (Tex. 2001). A notice or order to withdraw funds is not a final, appealable order. *See Harrell v. State*, 286 S.W.3d 315, 316 n.1, 321 (Tex. 2009) (“withdrawal order” is actually a notification from the court, not an order); *Ramirez v. State*, 318 S.W.3d 906 (Tex. App.—Waco 2010, no pet.). The documents on file in this court, including appellant’s notice of jurisdiction, show that appellant has not filed and the trial court has not acted on any post-notification motion, such as a motion to strike the order to withdraw inmate funds. An order ruling on such a motion would be appealable. *See Harrell*, 286 S.W.3d 315. No appealable order has been entered in this case.

Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

January 11, 2013

Panel consists of: Wright, C.J.,
McCall, J., and Willson, J.