

DISMISS; and Opinion Filed January 15, 2016.



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-15-01572-CR

**JOHN TURNER GRAY, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 366th Judicial District Court
Collin County, Texas
Trial Court Cause No. 366-82519-2015**

MEMORANDUM OPINION

Before Justices Fillmore, Myers, and Whitehill
Opinion by Justice Fillmore

The Court has before it appellant's January 13, 2016 motion to dismiss the appeal. Appellant states he inadvertently filed the notice of appeal in this trial court number along with the notices of appeal in other cases. However, the trial court had dismissed this case. A copy of the dismissal order is attached to the motion.

Because the motion is not signed by appellant, we cannot treat it as a motion to dismiss under Texas Rule of Appellate Procedure 42.2(a). However, because there is no judgment of conviction or appealable order, there is nothing over which we have jurisdiction. *See Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.) (Appellate courts may consider appeals by criminal defendants only after conviction or the entry of an appealable order.).

Accordingly, we dismiss the appeal for want of jurisdiction.

/Robert M. Fillmore/
ROBERT M. FILLMORE
JUSTICE

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TEX. R. APP. P. 47

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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

JOHN TURNER GRAY, Appellant

No. 05-15-01572-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 366th Judicial District
Court, Collin County, Texas

Trial Court Cause No. 366-82519-2015.

Opinion delivered by Justice Fillmore,
Justices Myers and Whitehill participating.

Based on the Court's opinion of this date, we **DISMISS** the appeal for want of jurisdiction.

Judgment entered this 15th day of January, 2016.