

DISMISS; and Opinion Filed July 29, 2016.



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

No. 05-16-00275-CR

No. 05-16-00276-CR

CRAIG DANIEL WOFFORD, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 291st Judicial District Court
Dallas County, Texas
Trial Court Cause Nos. F12-51173-U & F13-54319-U**

MEMORANDUM OPINION

**Before Justices Lang-Miers, Evans, and Brown
Opinion by Justice Lang-Miers**

Craig Daniel Wofford entered open pleas of guilty to possession of one gram or more but less than four grams of cocaine and possession with intent to deliver four grams or more but less than 200 grams of cocaine, and the trial court placed him on deferred adjudication for five years in each case. In February 2016, the State filed motions to proceed with an adjudication of guilt, alleging appellant had violated numerous terms and conditions of his probation. Appellant entered open pleas of true to the allegations. On March 7, 2016, the trial court continued appellant on probation, extending the term of probation for twelve additional months in each case. Appellant then filed these appeals. For the reasons that follow, we conclude we have no jurisdiction over the appeals.

As a general rule, an appellate court may consider appeals by criminal defendants only after conviction. *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.). With

regard to deferred adjudication, the Texas Legislature has authorized appeal of only two types of orders: (1) an order granting deferred adjudication, and (2) an order imposing punishment pursuant to an adjudication of guilt. *Davis v. State*, 195 S.W.3d 708, 711 (Tex. Crim. App. 2006). Orders modifying the terms or conditions of deferred adjudication are not in themselves appealable. *Id.*

Here, there are no judgments of conviction. Rather, the trial court continued appellant on probation and extended the terms for twelve months in each case. Under these circumstances, we do not have jurisdiction. *See id.*

We dismiss these appeals for lack of jurisdiction.

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE

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TEX. R. APP. P. 47

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

JUDGMENT

CRAIG DANIEL WOFFORD, Appellant

No. 05-16-00275-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 291st Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F12-51173-U.

Opinion delivered by Justice Lang-Miers,
Justices Evans and Brown participating.

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

Judgment entered this 29th day of July, 2016.



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

JUDGMENT

CRAIG DANIEL WOFFORD, Appellant

No. 05-16-00276-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 291st Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F13-54319-U.

Opinion delivered by Justice Lang-Miers,
Justices Evans and Brown participating.

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

Judgment entered this 29th day of July, 2016.