

Dismissed; Opinion Filed August 18, 2017.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00585-CR

MANUEL QUITERIO GARCIA, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F15-75682-P

MEMORANDUM OPINION

Before Justices Lang, Myers, and Stoddart
Opinion by Justice Myers

Manuel Quiterio Garcia filed a notice of appeal in the above case on June 2, 2017. On August 9, 2017, the clerk’s record was filed. Missing from the record is a judgment disposing of the above case. By letter dated August 17, 2017, the district clerk’s office informed the Court that appellant’s case is set for a hearing on September 1, 2017 but that no judgment has been entered. The following day, appellant filed a letter stating this case is “still pending in the trial court without disposition.” He concedes this appeal should be dismissed.

Appeals in criminal cases are permitted only when they are specifically authorized by statute. *State ex rel. Lykos v. Fine*, 330 S.W.3d 904, 915 (Tex. Crim. App. 2011) (orig. proceeding); *Abbott v. State*, 271 S.W.3d 694, 696–97 (Tex. Crim. App. 2008). The code of criminal procedure provides a defendant a right to general appeal that is limited to final

judgments. See TEX. CODE CRIM. PROC. ANN. art. 44.02 (West 2006); *State v. Sellers*, 790 S.W.2d 316, 321 n.4 (Tex. Crim. App. 1990). Because there is no final judgment in this case, we conclude we lack jurisdiction.

We dismiss this appeal.

Do Not Publish
TEX. R. APP. P. 47.2(b)
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/Lana Myers/
LANA MYERS
JUSTICE



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

JUDGMENT

MANUEL QUITERIO GARCIA, Appellant

No. 05-17-00585-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 203rd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F15-75682-P.

Opinion delivered by Justice Myers, Justices
Lang and Stoddart participating.

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

Judgment entered this 18th day of August, 2017.