

**DISMISSED and Opinion Filed May 3, 2018**



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

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**No. 05-18-00064-CR**

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**QUINCY BLAKELY, Appellant  
V.  
THE STATE OF TEXAS, Appellee**

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**On Appeal from the 194th Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. F15-18020-M**

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**MEMORANDUM OPINION**

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

Quincy Blakely has appealed the trial court's order denying his pro se pretrial motion to dismiss in which he challenged the trial court's personal jurisdiction and subject matter jurisdiction over him, contended he was arrested without probable cause and subjected to double jeopardy, and alleged defects in the appointments and actions of various officials. We directed the parties to file jurisdictional briefs addressing the basis for the Court's jurisdiction over the appeal. Appellant did not respond. The State responded that we do not have jurisdiction over this interlocutory matter. We conclude we have no jurisdiction to consider this appeal.

An appellate court has jurisdiction to determine appeals only if the appeal is authorized by law. *Abbott v. State*, 271 S.W.3d 694, 696–97 (Tex. Crim. App. 2008). When the appellate court's jurisdiction is not legally invoked, the court's power to act is as absent as if it did not exist. *Olivo*

*v. State*, 918 S.W.2d 519, 523 (Tex. Crim. App. 1996). Appellate courts may consider criminal appeals only after conviction or the entry of a narrow set of appealable interlocutory orders. TEX. R. APP. P. 26.2(a)(1); *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.). The courts of appeal do not have jurisdiction to review interlocutory orders unless that jurisdiction has been expressly granted by law. *Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991).

Appellant has not cited, nor have we found, any statute or rule that would authorize this appeal from the trial court’s interlocutory order. *See Wright*, 969 S.W.2d at 589. There being no legal basis upon which appellant may appeal the trial court’s order on his pretrial motion to dismiss, we have no jurisdiction over the appeal. *See Abbott*, 271 S.W.3d at 696–97.

We dismiss the appeal.

/Bill Whitehill/  
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BILL WHITEHILL  
JUSTICE

Do Not Publish  
TEX. R. APP. P. 47.2(b)  
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**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

QUINCY BLAKELY, Appellant

No. 05-18-00064-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the 194th Judicial District  
Court, Dallas County, Texas

Trial Court Cause No. F15-18020-M.

Opinion delivered by Justice Whitehill.

Justices Francis and Fillmore participating.

Based on the Court's opinion of this date, the appeal is **DISMISSED**.

Judgment entered May 3, 2018.