

DISMISS; and Opinion Filed September 4, 2018.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-18-00842-CR

RICKY ALLEN DYISE, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the 194th Judicial District Court
Dallas County, Texas
Trial Court Cause No. F16-54228-M

MEMORANDUM OPINION

Before Justices Bridges, Francis, and Lang-Miers
Opinion by Justice Lang-Miers

Ricky Allen Dyise appeals his conviction for retaliation. On October 24, 2016, a jury found him guilty after which the trial court assessed punishment at ten years in prison, probated for six years, and a \$1000 fine. This Court affirmed his conviction on direct appeal. *Dyise v. State*, No. 05-16-01408-CR, 2017 WL 6164574, at *3 (Tex. App.—Dallas Dec. 2017, pet. ref'd). The Court now has before it appellant's July 24, 2018 "Notice of Appeal." Appellant does not reference any new appealable order but asks to appeal his 2016 conviction.

An appellate court has jurisdiction to determine an appeal 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 final 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.).

Here, appellant seeks to appeal his original 2016 conviction. Because we have already considered his direct appeal and there are no new appealable orders, we conclude we lack jurisdiction over this appeal.

We dismiss this appeal for want of jurisdiction.

/Elizabeth Lang-Miers/
ELIZABETH LANG-MIERS
JUSTICE

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TEX. R. APP. P. 47.2(b)

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

JUDGMENT

RICKY ALLEN DYISE, Appellant

No. 05-18-00842-CR V.

THE STATE OF TEXAS, Appellee

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

Trial Court Cause No. F16-54228-M.

Opinion delivered by Justice Lang-Miers,
Justices Bridges and Francis participating.

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

Judgment entered this 4th day of September, 2018.