

DISMISS; and Opinion Filed December 6, 2018.



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

No. 05-18-00960-CR

KYLE LEE BRADSHAW, Appellant

V.

STATE OF TEXAS, Appellee

**On Appeal from the 86th Judicial District Court
Kaufman County, Texas
Trial Court Cause No. 17-90166-86-F**

MEMORANDUM OPINION

Before Justices Lang-Miers, Fillmore, and Myers
Opinion by Justice Lang-Miers

Kyle Lee Bradshaw, who has not been convicted or finally sentenced, filed a notice of appeal, seeking to challenge the trial court's denial of his pretrial motion to suppress. We do not have jurisdiction to review interlocutory orders in a criminal appeal unless that jurisdiction has been expressly granted by law. *Ragston v. State*, 424 S.W.3d 49, 52 (Tex. Crim. App. 2014); *Ex parte Apolinar*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). Although the State may appeal an order granting a pretrial motion to suppress evidence, *see* TEX. CODE CRIM. PROC. ANN. art. 44.01(a)(5), no corresponding provision entitles a defendant to appeal the denial of such a motion. *See id.* art. 44.02; *Dahlem v. State*, 322 S.W.3d 685, 690–91 (Tex. App.—Fort Worth 2010, pet. ref'd) (noting pretrial order on motion to suppress is interlocutory ruling that is not appealable by defendant).

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

KYLE LEE BRADSHAW, Appellant

No. 05-18-00960-CR V.

STATE OF TEXAS, Appellee

On Appeal from the 86th Judicial District
Court, Kaufman County, Texas
Trial Court Cause No. 17-90166-86-F.
Opinion delivered by Justice Lang-Miers.
Justices Fillmore and Myers participating.

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

Judgment entered this 6th day of December, 2018.