

Dismissed and Memorandum Opinion filed February 11, 2010.



In The

**Fourteenth Court of Appeals**

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NO. 14-09-00818-CR

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ANDREW MEDINA, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 182nd District Court  
Harris County, Texas  
Trial Court Cause No. 1223670

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**MEMORANDUM OPINION**

Appellant was convicted of possession with intent to deliver a controlled substance on September 18, 2009. On September 30, 2009 he filed a motion for new trial, which was granted on November 24, 2009.

Generally, an appellate court only has jurisdiction to consider an appeal by a criminal defendant where there has been a final judgment of conviction. *Workman v. State*, 170 Tex. Crim. 621, 343 S.W.2d 446, 447 (1961); *McKown v. State*, 915 S.W.2d

160, 161 (Tex. App.—Fort Worth 1996, no pet.). Because the trial court granted appellant’s motion for new trial, there is no final conviction from which to appeal.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Yates, Seymore, and Brown.

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