

Dismissed and Memorandum Opinion filed December 23, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-01207-CR

ARTIS CHARLES HARRELL, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 184th District Court
Harris County, Texas
Trial Court Cause No. 982557**

MEMORANDUM OPINION

A jury convicted appellant of aggravated robbery. Appellant entered a plea of true to the enhancement allegation in the indictment and on July 13, 2005, the jury sentenced him to confinement for ninety-nine years in the Institutional Division of the Texas Department of Criminal Justice. This court affirmed his conviction. *See Harrell v. State*, No. 14-05-00753-CR, 2006 WL 1140418 (Tex. App.—Houston [14th Dist.] April 27, 2006, pet. ref'd) (not designated for publication).

This is an attempted appeal from an order denying appellant's motion for the production of grand jury proceedings and transcripts signed September 14, 2010. We lack jurisdiction over the appeal.

Generally, an appellate court only has jurisdiction to consider an appeal by a criminal defendant after a final judgment of conviction. *See 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.). The exceptions include: (1) certain appeals while on deferred adjudication community supervision, *Kirk v. State*, 942 S.W.2d 624, 625 (Tex. Crim. App. 1997); (2) appeals from the denial of a motion to reduce bond, Tex. R. App. P. 31.1; *McKown*, 915 S.W.2d at 161; (3) certain appeals from the denial of habeas corpus relief, *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.); *McKown*, 915 S.W.2d at 161; and orders denying motions for DNA testing under article 64.05 of the Code of Criminal Procedure. The denial of a motion to produce grand jury records is not a separately appealable order.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Jamison.

Do Not Publish — Tex. R. App. P. 47.2(b).