

Dismissed and Memorandum Opinion filed February 10, 2011.



In The

**Fourteenth Court of Appeals**

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NO. 14-11-00025-CR

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**CHARLES LEE GRABLE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 232nd District Court  
Harris County, Texas  
Trial Court Cause No. 764539**

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**MEMORANDUM OPINION**

On January 15, 1998, Grable entered a guilty plea to indecency with a child. After a pre-sentence investigation, on April 3, 1998, the trial court deferred a finding of guilt and placed Grable on probation for five years. Later that year, Grable's guilt was adjudicated and punishment was assessed at confinement for sixteen years in the Institutional Division of the Texas Department of Criminal Justice. *See Grable v. State*, No. 14-02-00335-CR, 2002 WL 1000398 (Tex. App.—Houston [14th Dist.] May 16, 2002, no pet.) (not

designated for publication) (dismissing appeal for want of jurisdiction because notice of appeal was not filed until more than three years after adjudication of guilt).

This is an attempted appeal of a December 8, 2010, order denying Grable's motion requesting the trial court to determine its jurisdiction over "unrelated extraneous matters used by the court in a plea arrangement." We lack jurisdiction over the appeal.

Generally, an appellate court has jurisdiction to consider an appeal by a criminal defendant only from 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 a defendant is 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; and (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.

The denial of Grable's post-conviction motion is not a separately appealable order. Because this appeal does not fall within the exceptions to the general rule that appeals may be taken only from a final judgment of conviction, we have no jurisdiction.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Frost and Christopher.  
Do Not Publish — Tex. R. App. P. 47.2(b).