

Dismissed and Memorandum Opinion filed February 18, 2016.



In The

Fourteenth Court of Appeals

NO. 14-15-00237-CR

PASTOR ISREAL DIAZ-BONILLA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 182nd District Court
Harris County, Texas
Trial Court Cause No. 1311548**

M E M O R A N D U M O P I N I O N

Appellant was convicted of engaging in organized criminal activity. Subsequently, the trial court granted appellant's motion for new trial.¹

¹ We affirmed the trial court's decision on appeal from the State in an opinion issued February 9, 2016. *See State of Texas v. Diaz-Bonilla*, No. 14-15-00503-CR, __ WL __ (Tex. App.—Houston [14th Dist.] Feb 9, 2016, no pet. h.).

Generally, we only have jurisdiction to consider an appeal by a criminal defendant when there has been a final judgment of conviction. *See Workman v. State*, 170 Tex. Crim. App. 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 appellant has been granted a new trial, there is no final conviction to appeal.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Christopher, McCally.

Do Not Publish — Tex.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