

Dismissed and Memorandum Opinion filed January 7, 2016.



In The

Fourteenth Court of Appeals

NO. 14-15-01042-CR

LOYD LANDON SORROW, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 874978**

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

This court affirmed appellant's conviction for aggravated sexual assault of a child in 2003. *Sorrow v. State*, No. 14-02-01042-CR; 2003 WL 22012828 (Tex. App.—Houston [14th Dist.] Aug. 26, 2003, pet. ref'd). More than twelve years later, on August 17, 2015, appellant filed a notice of appeal, attempting to appeal from the trial court's purported denial of a motion for new trial appellant filed on July 6, 2015.

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.).

Appellant was convicted on September 6, 2002; his motion for new trial was filed July 6, 2015. The denial of an untimely filed motion for new trial is not a separately appealable order.¹ Because this appeal does not fall within the exceptions to the general rule that an appeal 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 Frost and Justices Boyce and Wise.
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¹ In its letter of assignment the district clerk's office noted that the motion was not denied.