

Dismissed and Memorandum Opinion filed August 15, 2017.



In The
Fourteenth Court of Appeals

NO. 14-17-00535-CR

MICHAEL SIMONS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 182nd District Court
Harris County, Texas
Trial Court Cause No. 777375**

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

This is an attempted appeal of the denial of appellant's motion to remove registration information pursuant to article 62.251 of the Texas Code of Criminal Procedure.

On September 1, 1998, appellant was convicted of aggravated sexual assault of a child and sentenced, pursuant to a plea bargain agreement, to five years in the Institutional Division of the Texas Department of Criminal Justice. As a

consequence of his conviction appellant was required to register as a sex offender for ten years after completion of his sentence under chapter 62 of the Code of Criminal Procedure. On June 13, 2017, appellant filed a motion in the trial court to remove his registration information pursuant to article 62.251 of the Code of Criminal Procedure. On June 15, 2017, the trial court denied appellant's motion. Appellant filed a notice of appeal on June 28, 2017.

In Texas, appeals in criminal cases are permitted only when they are specifically authorized by statute. *State ex rel. Lykos*, 330 S.W.3d 904, 915 (Tex. Crim. App. 2011); *see* Tex. Code Crim. Proc. art. 44.02. Generally, a criminal defendant may only appeal from a final judgment. *See State v. Sellers*, 790 S.W.2d 316, 321 n. 4 (Tex. Crim. App. 1990). The courts of appeals do not have jurisdiction to review orders in a criminal appeal absent express statutory authority. *Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). *See also Ragston v. State*, 424 S.W.3d 49 (Tex. Crim. App. 2014).

The denial of a motion to remove a defendant's registration information is not a separately appealable order. *See Dewalt v. State*, 417 S.W.3d 678, 683–84 (Tex. App.—Austin 2013), pet. ref'd 426 S.W.3d 100 (Tex. Crim. App. 2014). 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 Frost and Justices Boyce and Jewell.
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