

Appeal Dismissed and Memorandum Opinion filed January 23, 2018.



In The

Fourteenth Court of Appeals

NO. 14-17-00918-CR

DAVID EARL SWEED, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 21st District Court
Washington County, Texas
Trial Court Cause No. 14907**

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

Appellant was convicted of aggravated sexual assault of a child and sentenced to 45 years' confinement on September 7, 2007. This court affirmed appellant's conviction on October 30, 2008. *See Sweed v. State*, No. 14-07-00772-CR; 2008 WL 4735221 (Tex. App.—Houston [14th Dist.] Oct. 30, 2008, pet. dism'd) (not designated for publication).

On March 27, 2017, appellant filed a motion for new trial. On April 13, 2017, the motion was denied by the trial court. On November 20, 2017, appellant filed a

notice of appeal seeking to challenge the trial court's denial of his motion for new trial.

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 denial of a motion for new trial is not a separately appealable order. Because this appeal does not fall within the exceptions to the general rule that appeal may be taken only from a final judgment of conviction, we have no jurisdiction.

Accordingly, this appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Christopher, Donovan, and Jewell.

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