

Dismissed and Memorandum Opinion filed October 5, 2021.



**In The
Fourteenth Court of Appeals**

NO. 14-18-00948-CR

BILLY RAY PARKER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 338th District Court
Harris County, Texas
Trial Court Cause No. 1497040**

MEMORANDUM OPINION

Appellant was convicted by a jury of first-degree felony aggravated robbery, and the trial court assessed punishment at 38-years imprisonment. *See* Tex. Penal Code Ann. §§ 12.42(d), 29.02, 29.03(a), (b). Subsequently, the trial court granted appellant's motion for new trial.

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*, 343 S.W.2d 446, 447 (Tex. Crim. App. 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. On September 10, 2021, we sent appellant notice of our intention to dismiss this appeal. Counsel for appellant agrees this court lacks jurisdiction over the appeal.

Accordingly, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Panel consists of Justices Zimmerer, Spain, and Hassan.

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