

Motion Granted; Appeal Dismissed and Memorandum Opinion filed September 27, 2022.



In The

Fourteenth Court of Appeals

NO. 14-22-00364-CR

TREASURE SMITH, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from County Criminal Court at Law No. 12
Harris County, Texas
Trial Court Cause No. 2339436**

MEMORANDUM OPINION

Appellant was convicted of assault of a family member. 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*, 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.

We grant appellant’s motion to dismiss and dismiss the appeal for want of jurisdiction.

PER CURIAM

Panel consists of Justices Spain, Poissant, and Wilson
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