

Court of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-10-00577-CR

Ricky **BARBARO**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 379th Judicial District Court, Bexar County, Texas
Trial Court No. 2009-CR-0272
Honorable Ron Rangel, Judge Presiding

PER CURIAM

Sitting: Phylis J. Speedlin, Justice
Rebecca Simmons, Justice
Steven C. Hilbig, Justice

Delivered and Filed: August 31, 2010

DISMISSED FOR WANT OF JURISDICTION

On June 17, 2009, appellant was placed on community supervision for a period of four years. On July 7, 2010, the State filed a motion to revoke appellant's community supervision. On July 15, 2010, the trial court entered an order continuing appellant on community supervision, but modifying the conditions of appellant's community supervision by ordering appellant to enter a residential treatment program. Appellant filed a notice of appeal from the trial court's order modifying the conditions of his community supervision. This court does not

have jurisdiction to consider an appeal from an order altering or modifying the conditions of community supervision. *See Basaldua v. State*, 558 S.W.2d 2, 5 (Tex. Crim. App. 1977); *Quaglia v. State*, 906 S.W.2d 112, 113 (Tex. App.—San Antonio 1995, no pet.). On August 18, 2010, this court issued an order for appellant to show cause on or before August 30, 2010, why this appeal should not be dismissed for lack of jurisdiction. Appellant's counsel has filed a written response agreeing that this appeal should be dismissed. Accordingly, this appeal is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH