



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00595-CR

Guadalupe **RODRIGUEZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 144th Judicial District Court, Bexar County, Texas
Trial Court No. 2014CR7210
Honorable Lorina I. Rummel, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: October 1, 2014

**MOTION FOR LEAVE TO FILE LATE NOTICE OF APPEAL DENIED;
APPEAL DISMISSED FOR LACK OF JURISDICTION**

On August 19, 2014, appellant filed a pro se Motion for Leave to File Late Notice of Appeal, in which she states "I have not been indicted[.] It's been over 90 days." This court does not have jurisdiction to consider an appeal if there is no final judgment. Also, this court's jurisdiction to consider an appeal is not triggered unless a notice of appeal is timely filed.

Therefore, because it appeared appellant is attempting to appeal from the alleged failure of the State to indict her, on August 26, 2014, this court ordered appellant to show cause, in writing, why this appeal should not be dismissed for lack of jurisdiction. Our order informed appellant that

if no response was filed, this appeal would be dismissed for lack of jurisdiction. On September 9, 2014, the trial court clerk filed the clerk's record, which contains a True Bill of Indictment, but does not contain a final judgment or an otherwise appealable order. Appellant has not filed a response to our August 26, 2014, order; therefore, this appeal is dismissed for lack of jurisdiction. Appellant's motion to file a late notice of appeal is denied

PER CURIAM

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