



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00634-CR

Steven **VELASCO**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 227th Judicial District Court, Bexar County, Texas
Trial Court No. 2013CR4702
Honorable Philip A. Kazen, Jr., Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice¹

Delivered and Filed: December 23, 2014

DISMISSED FOR LACK OF JURISDICTION

Appellant Steven Velasco is seeking to appeal from the trial court's order modifying the conditions of his probation. An order modifying the conditions of probation is not appealable at the time of the modification. A defendant may appeal the judgment placing him on probation. TEX. CODE CRIM. PROC. ANN. art. 42.12(23)(b) (West Supp. 2014). A defendant may also appeal an order revoking his probation. *Id.* Those are the two opportunities permitting an appeal in a case involving probation. *Basaldua v. State*, 558 S.W.2d 2, 5 (Tex. Crim. App. 1977).

¹ Not participating.

On September 30, 2014, this court ordered Velasco to show cause in writing no later than October 30, 2014, why this appeal should not be dismissed for want of jurisdiction. Velasco did not respond to our order. Accordingly, because this court lacks jurisdiction to consider an appeal of an order modifying the conditions of probation, this appeal is dismissed for lack of jurisdiction.

Id.

PER CURIAM

DO NOT PUBLISH