



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-18-00274-CR

Jose Flores **HERNANDEZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 186th Judicial District Court, Bexar County, Texas
Trial Court No. 1980CR1362W
Honorable Jefferson Moore, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: July 25, 2018

DISMISSED FOR LACK OF JURISDICTION

Appellant has filed a notice of appeal seeking to appeal the trial court's order denying his motion for a judgment nunc pro tunc. Because we do not have jurisdiction to consider an appeal of an order denying a motion for a judgment nunc pro tunc, we ordered appellant to show cause in writing why this appeal should not be dismissed for want of jurisdiction. Our order noted that the denial of a motion for a judgment nunc pro tunc is not an appealable order; instead, the proper remedy to obtain review of the denial of a motion for judgment nunc pro tunc is by petition for writ of mandamus. *See Reyes v. State*, No. 04-12-00267-CR, 2012 WL 2602965, at *1 (Tex.

App.—San Antonio July 5, 2012, no pet.) (mem. op.); *Castor v. State*, 205 S.W.3d 666, 667 (Tex. App.—Waco 2006, no pet.). Appellant timely filed a response to our show cause order, but did not provide a basis upon which we may exercise jurisdiction over this appeal. We, therefore, dismiss this appeal for lack of jurisdiction.

PER CURIAM

Do not publish