



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-19-00426-CR

Otis **GREER**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 227th Judicial District Court, Bexar County, Texas  
Trial Court No. 1992CR1623W  
Honorable Philip A. Kazen, Jr., Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Rebeca C. Martinez, Justice  
Liza A. Rodriguez, Justice

Delivered and Filed: October 2, 2019

DISMISSED FOR LACK OF JURISDICTION

The clerk's record reflects that on May 1, 1992, Appellant Otis Greer pled guilty to aggravated sexual assault and was sentenced to life imprisonment. On July 3, 2012, he filed a pro se "Post-Conviction Motion for Forensic DNA Testing Pursuant to Chapter 64." On August 3, 2012, the trial court signed an order denying his motion for DNA testing. On June 24, 2019, he filed a notice of appeal, stating that he intends to appeal the "judgment of DNA Testing results from the 227th Judicial District Court of Bexar County, Texas." As the clerk's record reflects Greer did not file his notice of appeal until almost seven years after the trial court denied his

motion, it appeared that his notice of appeal was filed untimely and that we lacked jurisdiction over this appeal. We therefore ordered Otis Greer to show cause why this appeal should not be dismissed for lack of jurisdiction.

In his response, Greer represents that he filed a “secondary motion” for DNA testing on February 21, 2019. Greer does not state whether the trial court has ruled on this secondary motion, and no such ruling is contained in the clerk’s record. Thus, as the record reflects that the only appealable order was signed by the trial court in 2012, we dismiss this appeal for lack of jurisdiction.

PER CURIAM

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