



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

**MEMORANDUM OPINION**

No. 04-21-00016-CV

**REAL PROPERTY LOCATED AT 404 FULLER ST.,  
KERRVILLE, KERR COUNTY, TEXAS,**  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 216th Judicial District Court, Kerr County, Texas  
Trial Court No. 16620A  
Honorable N. Keith Williams, Judge Presiding

PER CURIAM

Sitting: Beth Watkins, Justice  
Liza A. Rodriguez, Justice  
Lori I. Valenzuela, Justice

Delivered and Filed: March 24, 2021

DISMISSED FOR LACK OF JURISDICTION

On January 14, 2021, Peggy Butler filed a letter indicating her intent to appeal a judgment of forfeiture in a civil forfeiture proceeding that was signed on September 11, 2017. On December 19, 2018, we issued a memorandum opinion and judgment affirming the trial court's September 11, 2017 judgment. On January 25, 2019, we denied Butler's motion for rehearing, and on October 9, 2019, we issued our mandate.

This court's plenary power in that appeal expired, and this court no longer has jurisdiction to review the September 11, 2017 judgment. *See* TEX. R. APP. P. 19.1 (specifying the period of

plenary power); *id.* R. 19.3 (providing appellate court cannot vacate or modify judgment after plenary power has expired). Moreover, Butler is not entitled to a second appeal from the trial court's judgment, and no independent appeal lies from the issuance of our mandate. *Minnfee v. Proyor*, No. 01-12-00943-CV, 2013 WL 709254, at \*1 (Tex. App.—Houston [1st Dist.] Feb. 26, 2013, no pet.) (mem. op.). Accordingly, we lack jurisdiction over this appeal. See TEX. R. APP. P. 19.1, 19.3, 26.1.

We therefore dismiss this appeal for want of jurisdiction.

PER CURIAM