

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-18-00082-CR

STEVEN DERRICK SOUTH, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the County Court at Law No. 5
Montgomery County, Texas
Trial Cause No. 17-324602

MEMORANDUM OPINION

On February 22, 2018, Steven Derrick South filed a notice of appeal of his conviction in Trial Cause No. 17-324602. The trial court granted a motion for new trial while it maintained plenary power over the case. *See* Tex. R. App. P. 21.8(a). On April 19, 2018, we notified the parties that unless our jurisdiction over the appeal was established, the appeal would be dismissed for lack of jurisdiction. No reply has been filed.

The notice of appeal invoked the Court's appellate jurisdiction to review a judgment of conviction that has been vacated. The Court finds it lacks jurisdiction over the appeal. Accordingly, we dismiss the appeal.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on May 15, 2018
Opinion Delivered May 16, 2018
Do Not Publish

Before McKeithen, C.J., Horton and Johnson, JJ.