



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-12-00287-CR

FREDERICK D. PIMPTON

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 297TH DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Frederick D. Pimpton appeals from the trial court's order denying his motion for judgment nunc pro tunc. In late June 2012, we informed Appellant by letter of our concern that we do not have jurisdiction over his appeal because the order denying his motion does not appear to be an appealable order, and we stated that his appeal could be dismissed unless he or any party filed within ten days a

¹See Tex. R. App. P. 47.4.

response showing grounds for continuing the appeal. We have received no response.

Because an order denying a motion for judgment nunc pro tunc is not appealable,² we dismiss this appeal for want of jurisdiction.³

PER CURIAM

PANEL: DAUPHINOT, GARDNER, and WALKER, JJ.

DO NOT PUBLISH
Tex. R. App. P. 47.2(b)

DELIVERED: September 20, 2012

²See *Ex parte Ybarra*, 149 S.W.3d 147, 148–49 (Tex. Crim. App. 2004) (providing that appropriate remedy for denial of motion for judgment nunc pro tunc is to file petition for writ of mandamus in court of appeals); *Everett v. State*, 82 S.W.3d 735, 735 (Tex. App.—Waco 2002, pet. dism'd).

³See Tex. R. App. P. 43.2(f).