



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

**NO. 02-12-00516-CR**

Ex parte Dwight Ervine Brown           §   From the 158th District Court  
  §   of Denton County (F-90-578-B)  
  §   December 21, 2012  
  §   Per Curiam  
  §   (nfp)

**JUDGMENT**

This court has considered the record on appeal in this case and holds that the appeal should be dismissed. It is ordered that the appeal is dismissed for want of jurisdiction.

SECOND DISTRICT COURT OF APPEALS

PER CURIAM



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

**NO. 02-12-00515-CR  
NO. 02-12-00516-CR  
NO. 02-12-00517-CR  
NO. 02-12-00518-CR**

EX PARTE DWIGHT ERVINE  
BROWN

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FROM THE 158TH DISTRICT COURT OF DENTON COUNTY

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**MEMORANDUM OPINION<sup>1</sup>**

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Appellant Dwight Ervine Brown pleaded guilty pursuant to a plea bargain to the felony offenses of burglary of a habitation, aggravated robbery, and two counts of aggravated sexual assault. He subsequently filed an application for writ of habeas corpus in the trial court “seeking to obtain a copy of his complete trial records without cost.” The district clerk returned the application to Brown because it did not comply with rule of appellate procedure 73.1. See Tex. R. App. P. 73.1 (requiring use of specific form for application for post-conviction

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<sup>1</sup>See Tex. R. App. P. 47.4.

habeas corpus relief from felony case). In his notice of appeal, Brown stated that he considered the application denied by operation of law.

As one of our sister courts recently observed,

This court has jurisdiction over criminal appeals only when expressly granted by law. No statute vests this court with jurisdiction over an appeal from an order denying a request for a free copy of the trial record when such a request is not presented in conjunction with a timely filed direct appeal. Furthermore, an intermediate court of appeals has no jurisdiction over post-conviction writs of habeas corpus in felony cases.

*Williamson v. State*, Nos. 10-12-00146-CR, 10-12-00147-CR, 10-12-00148-CR, 10-12-00149-CR, 2012 WL 2353684, at \*1 (Tex. App.—Waco June 13, 2012, no pet.) (mem. op., not designated for publication) (citations omitted).

On October 29, 2012, we notified Brown of our concern that this court lacked jurisdiction over these appeals, and we informed him that unless he or any party desiring to continue the appeals filed with the court, on or before November 19, 2012, a response showing grounds for continuing the appeals, the appeals would be dismissed for want of jurisdiction. See Tex. R. App. P. 44.3. We have received no response. Accordingly, we dismiss these appeals for want of jurisdiction. See Tex. R. App. P. 43.2(f).

PER CURIAM

PANEL: MEIER, J.; LIVINGSTON, C.J.; and GABRIEL, J.

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

DELIVERED: December 21, 2012