



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

NO. 02-17-00175-CR

ROLANDO BAZANES

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 362ND DISTRICT COURT OF DENTON COUNTY
TRIAL COURT NO. F-2008-0430-D

MEMORANDUM OPINION¹

Appellant Rolando Bazanes attempts to appeal from certain notations made by the trial court on Bazanes's "Motion to Modify Sentence Nunc Pro Tunc." The trial court wrote the following on Bazanes's motion: "No action. Court no longer has jurisdiction." On the proposed order Bazanes included with

¹See Tex. R. App. P. 47.4.

his motion, the trial court wrote, “Court does not have jurisdiction to rule on this motion.”

On June 7, 2017, we sent a letter to Bazanes expressing our concern that we may not have jurisdiction over this appeal because the trial court had not entered any appealable orders.² See Tex. R. App. P. 26.2(a)(1); *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.). We informed Bazanes that unless he or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal by June 19, 2017, we would dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 42.3(a), 43.2(f). Bazanes filed a response, but it does not show grounds for continuing the appeal. Therefore, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 43.2(f).

PER CURIAM

PANEL: WALKER, MEIER, and GABRIEL, JJ.

²Even if the trial court’s notations could be construed as an order denying Bazanes’s motion, “[a]n intermediate appellate court has no jurisdiction over an appeal from an order denying a request for judgment nunc pro tunc because such an order is not an appealable order.” *Gonzalez v. State*, No. 11-17-00056-CR, 2017 WL 1275540, at *1 (Tex. App.—Eastland Mar. 31, 2017, no pet.) (mem. op., not designated for publication); see *Desilets v. State*, 495 S.W.3d 553, 554 (Tex. App.—Beaumont 2016, no pet.) (“While appeals courts have jurisdiction over appeals from a final judgment of conviction, they do not have jurisdiction over appeals from orders denying requests for the entry of judgments nunc pro tunc because no statute has been passed creating appellate jurisdiction over such appeals.”).

DO NOT PUBLISH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

DELIVERED: July 13, 2017