



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

**NO. 02-17-00211-CR
NO. 02-17-00212-CR
NO. 02-17-00213-CR**

MARCUS ANTONIO WHITE

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 372ND DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NOS. 1474396D, 1474397D, 1474398D

MEMORANDUM OPINION¹

Marcus Antonio White attempts to appeal from the trial court's June 6, 2017 pretrial orders setting bail in three causes: \$15,000 in trial court cause number 1474396D, \$50,000 in cause number 1474397D, and \$15,000 in cause number 1474398D.

¹See Tex. R. App. P. 47.4.

On July 17, 2017, we notified White of our concern that we lack jurisdiction over these appeals because the trial court had not entered any appealable orders, noting that we generally have jurisdiction to consider an appeal in a criminal case only when there has been a judgment of conviction. We informed him that we would dismiss the appeals unless he or any party desiring to continue the appeals filed a response on or before July 24, 2017, showing grounds for continuing these appeals. See Tex. R. App. P. 43.2(f); 44.3. We have not received a response.

As we stated in our letter to White, generally, this court has jurisdiction to consider appeals by criminal defendants only after a judgment of conviction. See *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.); see also *Workman v. State*, 343 S.W.2d 446, 447 (Tex. Crim. App. 1961). We do not have jurisdiction to hear interlocutory appeals from pretrial orders regarding excessive bail or denying bail.² *Ragston v. State*, 424 S.W.3d 49, 52 (Tex. Crim. App. 2014). Accordingly, we dismiss these appeals for want of jurisdiction. See Tex. R. App. P. 43.2(f); *Ragston*, 424 S.W.3d at 52.

²The proper method for challenging the denial or excessiveness of bail is through an application for writ of habeas corpus in the trial court. See *Ex parte Gray*, 564 S.W.2d 713, 714 (Tex. Crim. App. [Panel Op.] 1978). We have jurisdiction to consider appeals from trial-court orders denying habeas relief in those circumstances. See, e.g., *Ex parte Briscoe*, No. 02-15-00223-CR, 2015 WL 5893470, at *1 n.2 (Tex. App.—Fort Worth Oct. 8, 2015, no pet.) (mem. op., not designated for publication); *Ex parte Piceno*, No. 02-13-00421-CR, 2014 WL 2611191, at *1 n.2 (Tex. App.—Fort Worth, June 12, 2014, no pet.) (mem. op., not designated for publication). But White is not attempting to appeal from such an order.

/s/ Elizabeth Kerr
ELIZABETH KERR
JUSTICE

PANEL: LIVINGSTON, C.J.; KERR and PITTMAN, JJ.

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

DELIVERED: August 24, 2017