



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-18-00420-CR

No. 02-18-00421-CR

No. 02-18-00422-CR

LAMON JOSHUA BATER, Appellant

V.

THE STATE OF TEXAS

On Appeal from the 432nd District Court
Tarrant County, Texas
Trial Court Nos. 1469469D, 1475883D, 1475881D

Before Meier, Gabriel, and Kerr, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION

Appellant Lamon Joshua Bater filed a pro se notice of appeal “from the denial of his objections to his conditions of probation,” which the “trial court has ordered . . . to continue unchanged without a written order.” On September 26, 2018, we notified Bater of our concern that we lack jurisdiction over this appeal because the trial court had not signed a written order denying his requested relief, *see State v. Wachtendorf*, 475 S.W.3d 895, 904 (Tex. Crim. App. 2015), and because we have no jurisdiction to review an order denying a motion to modify the conditions of deferred adjudication community supervision, *see Basaldna v. State*, 558 S.W.2d 2, 5 (Tex. Crim. App. 1977); *Davis v. State*, 195 S.W.3d 708, 711 (Tex. Crim. App. 2006). Bater responded to our notice, but instead of explaining why we have jurisdiction, he argued that we should issue a writ of mandamus against the trial court—but no mandamus petition is before us—or that we should “enter a judgment finding that [he] is not subject to sex offender counseling”—but that would effectively adjudicate the very issue that he raises on appeal.¹ We dismiss this appeal for want of jurisdiction.² *See* Tex. R. App. P. 43.2(f), 44.3.

Per Curiam

¹Bater also asked us to accept the case “as habeas review,” but he must first file an application for writ of habeas corpus in the trial court. *See* Tex. Code Crim. Proc. Ann. art. 11.072, § 2(a) (West 2015).

²Because we dismiss this appeal for want of jurisdiction, we take no action on Bater’s motion for stay and motion for bail pending appeal.

Do Not Publish
Tex. R. App. P. 47.2(b)

Delivered: November 15, 2018