



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

No. 02-19-00340-CR

JALEEL FRANKLIN, Appellant

v.

THE STATE OF TEXAS

On Appeal from the 432nd District Court
Tarrant County, Texas
Trial Court No. 1368033D

Before Gabriel, Kerr, and Birdwell, JJ.
Memorandum Opinion by Justice Gabriel

MEMORANDUM OPINION

Appellant Jaleel Franklin, proceeding pro se, attempts to appeal the trial court's alleged denial of his request for a free copy of the appellate record for use on direct appeal.¹ On December 31, 2018, we issued our opinion and judgment in Franklin's direct appeal affirming his conviction. *See Franklin v. State*, No. 02-17-00113-CR, 2018 WL 6844129 (Tex. App.—Fort Worth Dec. 31, 2018, pet. ref'd) (mem. op., not designated for publication). Franklin's petition for discretionary review was refused by the Court of Criminal Appeals on June 26, 2019. Our mandate issued on September 3, 2019, prior to the filing of Franklin's notice of appeal.

On September 23, 2019, we sent Franklin a letter expressing our concern that we do not have jurisdiction because the trial court had not entered any appealable orders. *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.); *see also Self v. State*, 122 S.W.3d 294, 294–95 (Tex. App.—Eastland 2003, no pet.) (holding that appellate court has no jurisdiction over appeal from trial court's order denying request for a copy of the appellate record unless the order is in conjunction with an appeal over which it has jurisdiction). We informed Franklin that unless he filed a response showing grounds for continuing the appeal, we would dismiss it. *See* Tex. R. App. P. 44.3. Franklin has not filed a

¹We note that the complained-of order allowed Franklin's counsel to have unrestricted use of the record for purposes of Franklin's direct appeal.

response. Accordingly, we dismiss his appeal for want of jurisdiction. *See* Tex. R. App. P. 43.2(f); *McKown*, 915 S.W.2d at 161; *Self*, 122 S.W.3d at 294–295.

/s/ Lee Gabriel

Lee Gabriel
Justice

Do Not Publish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

Delivered: November 14, 2019