

NO. 07-08-0147-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL B
APRIL 16, 2008

BARRY DWAYNE MINNFEE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

FROM THE 320th DISTRICT COURT OF POTTER COUNTY;
NO. 49,678-D; HONORABLE DON R. EMERSON, JUDGE

Memorandum Opinion

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Before the court is a document filed by Barry Dwayne Minnfee. Though entitled “notice of appeal,” among other things, the writing fails to disclose the judgment or final order from which he appeals. Instead, Minnfee seems to be asking that we review his request to preserve “evidence containing biological material.” However, the trial court has yet to execute a final order addressing the matter. Since the existence of such an order or judgment is a prerequisite to our exercising jurisdiction, see *Verdin v. State*, 13 S.W.3d 121, 122-23 (Tex. App.—Tyler 2000, no pet.) (requiring a final appealable order or an

appealable interlocutory order by the trial court for jurisdiction), we dismiss the appeal for want of jurisdiction.

Per Curiam

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