



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-17-00417-CR

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**ANTONIO TREVINO, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 140th District Court  
Lubbock County, Texas  
Trial Court No. 2016-410,682, Honorable Jim Bob Darnell, Presiding

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November 15, 2017

**MEMORANDUM OPINION**

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

Appellant, Antonio Trevino, proceeding *pro se*, filed an interlocutory appeal from the trial court's order denying his motion to suppress.<sup>1</sup> We dismiss his purported appeal for want of jurisdiction.

On November 7, 2017, appellant filed a notice appealing the trial court's "Order Denying Defendant's Motion to Suppress" signed on October 10, 2017. The district

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<sup>1</sup> Although appellant is represented by appointed trial counsel, Mr. Audie Reese, his counsel did not sign or file the notice of appeal.

clerk has notified this Court, however, that the trial court has not pronounced a sentence or entered a final judgment in appellant's case.

In a criminal matter, a defendant has the right to appeal "a judgment of guilt or other appealable order." See TEX. R. APP. P. 25.2(a)(2). An order is appealable only where specifically authorized by a statutory or constitutional provision. See *Ragston v. State*, 424 S.W.3d 49, 52 (Tex. Crim. App. 2014) ("The courts of appeals do not have jurisdiction to review interlocutory orders unless that jurisdiction has been expressly granted by law."); *Abbott v. State*, 271 S.W.3d 694, 696–97 (Tex. Crim. App. 2008) ("The standard for determining jurisdiction is not whether the appeal is precluded by law, but whether the appeal is authorized by law.").

There is no statute or rule that allows a defendant to appeal an interlocutory order denying a motion to suppress. See *Dahlem v. State*, 322 S.W.3d 685, 690-91 (Tex. App.—Fort Worth 2010, pet. ref'd) (noting that a pretrial order on a motion to suppress is an interlocutory ruling that is not appealable by a defendant); *Floyd v. State*, No. 07-15-00153-CR, 2015 Tex. App. LEXIS 3900, at \*1-2 (Tex. App.—Amarillo Apr. 16, 2015, no pet.) (per curiam) (mem. op., not designated for publication) (dismissing for want of jurisdiction an interlocutory appeal from an order denying defendant's pretrial motion to suppress). Rather, an appellant may challenge such a ruling by direct appeal after the trial court has signed a judgment.

Because appellant has not presented this Court with a final judgment of guilt or appealable order, this appeal is dismissed for want of jurisdiction.

Per Curiam

Do not publish.