



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

No. 07-19-00005-CR

CECIL RAY MCDONALD AKA CECIL RAY TRIMBLE, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

**On Appeal from the 364th District Court
Lubbock County, Texas
Trial Court No. 2000-434,614, Honorable Bradley S. Underwood, Presiding**

January 9, 2019

MEMORANDUM OPINION

Before CAMPBELL and PIRTLE and PARKER, JJ.

Appellant, Cecil Ray McDonald, has filed a notice of appeal in this Court in which he again attempts to appeal his conviction for murder in trial court cause number 2000-434,614. A direct appeal from this conviction was disposed of on its merits by this Court by our opinion of August 29, 2007, in which we affirmed his conviction. See *McDonald v. State*, No. 07-06-00276-CR, 2007 Tex. App. LEXIS 7139 (Tex. App.—Amarillo Aug. 29,

2007, pet. ref'd) (mem. op., not designated for publication).¹ Nonetheless, this is McDonald's tenth attempt to perfect another appeal from this conviction. This Court has rejected his prior attempts, as has the Texas Court of Criminal Appeals and the United States Supreme Court.² We again dismiss his purported appeal.

As we have repeatedly stated in our prior opinions, this Court lacks jurisdiction to consider a second appeal from McDonald's 2001 conviction. See *McDonald v. State*, No. 07-13-00438-CR, 2014 Tex. App. LEXIS 586, at *4-5 (Tex. App.—Amarillo Jan. 17, 2014, no pet.) (mem. op., not designated for publication). Accordingly, we dismiss this appeal for want of jurisdiction.

Judy C. Parker
Justice

Do not publish.

¹ Because McDonald's first notice of appeal, *sub nom*, from his 2001 conviction was filed untimely, we dismissed his original appeal on that basis. See *Trimble v. State*, No. 07-02-00101-CR, 2002 Tex. App. LEXIS 1656 (Tex. App.—Amarillo Mar. 4, 2002, no pet.) (per curiam). The Texas Court of Criminal Appeals later granted McDonald an out-of-time appeal. See *Ex parte McDonald*, No. AP-75,435, 2006 Tex. Crim. App. Unpub. LEXIS 723 (Tex. Crim. App. June 14, 2006) (per curiam) (not designated for publication).

² We disposed of McDonald's latest attempted appeal in *McDonald v. State*, No. 07-18-00004-CR, 2018 Tex. App. LEXIS 588 (Tex. App.—Amarillo Jan. 18, 2018, no pet.) (mem. op., not designated for publication). The Texas Court of Criminal Appeals refused his petition for discretionary review in a prior appeal. See *In re McDonald*, PD-1413-16, 2017 Tex. Crim. App. LEXIS 365 (Tex. Crim. App. Mar. 29, 2017). The United States Supreme Court also denied his petition for writ of certiorari in a prior appeal. See *McDonald v. Texas*, 136 S. Ct. 72, 193 L. Ed. 2d 69, 2015 U.S. LEXIS 5227 (U.S. Oct. 5, 2015).