



IN THE  
TENTH COURT OF APPEALS

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No. 10-11-00112-CR

DAYRIN LAMOND ROBINSON,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 40th District Court  
Ellis County, Texas  
Trial Court No. 23761CR

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MEMORANDUM OPINION

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Appellant Dayrin Lemond Robinson filed a pro se notice of appeal. Robinson is attempting to appeal the trial court's denial of his motion to dismiss indictment, motion to discharge (the restraints and disabilities from the order of community supervision), and motion to withdraw plea. In an opinion issued last year, we detailed the background of Robinson's underlying case. *Ex parte Robinson*, No. 10-10-00048-CR, 2010 WL 2629857 (Tex. App.—Waco June 30, 2010, no pet.) (mem. op., not designated for publication).

In a letter dated April 19, 2011, the Clerk of this Court warned Robinson that this appeal was subject to dismissal for want of jurisdiction because it appeared that this Court does not have jurisdiction of his appeal of the denial of his motion to dismiss indictment, motion to discharge, and motion to withdraw plea. *See Abbott v. State*, 271 S.W.3d 694 (Tex. Crim. App. 2008) (standard for determining jurisdiction is not whether appeal is precluded by law, but whether appeal is authorized by law); *Everett v. State*, 91 S.W.3d 386, 386 (Tex. App.—Waco 2002, no pet.) (stating that this court has jurisdiction over criminal appeals only when expressly granted by law). We warned Robinson that we would dismiss his appeal unless, within 21 days, he showed grounds for continuing it. Robinson has not responded to the Clerk’s warning.

This appeal is dismissed for lack of jurisdiction.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins

Dismissed  
Opinion delivered and filed May 25, 2011  
Do not publish  
[CR25]