



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-13-00128-CR

GARY WAYNE MCGRUDER,

Appellant

v.

THE STATE OF TEXAS,

Appellee

\_\_\_\_\_  
From the 272nd District Court  
Brazos County, Texas  
Trial Court No. 06-03839-CRF-272

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MEMORANDUM OPINION

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Gary Wayne McGruder attempts to appeal from a denial of his writ of habeas corpus filed in the Court of Criminal Appeals. By letter dated May 2, 2013, the Clerk of this Court notified McGruder that the appeal was subject to dismissal because there was not an order that was final and appealable in this Court. The Clerk also warned McGruder that the appeal would be dismissed unless, within 21 days of the date of the letter, a response was filed showing grounds for continuing the appeal. *See* TEX. R. APP.

P. 44.3. We received a response from McGruder; however, it does not provide grounds for continuing the appeal.

Accordingly, this appeal is dismissed.

AL SCOGGINS

Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed June 6, 2013  
Do not publish  
[CR25]