



**IN THE  
TENTH COURT OF APPEALS**

**No. 10-13-00444-CR**

**BILLY JOSHUA MERCHANT,**

**Appellant**

**v.**

**THE STATE OF TEXAS,**

**Appellee**

**From the County Court at Law No. 1  
Brazos County, Texas  
Trial Court No. 4799-A**

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**MEMORANDUM OPINION**

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Billy Joshua Merchant appeals his conviction for speeding, 20-22 over the limit. By letter dated December 18, 2013, the Clerk of this Court notified Merchant that the appeal was subject to dismissal for want of jurisdiction because the judgment underlying this appeal is a County Court at Law judgment in a trial de novo appeal from an inferior court and the County Court at Law judgment does not impose a fine or affirm a fine in excess of \$100. *See* TEX. CODE CRIM. PROC. ANN. art. 4.03. By the same letter, the Clerk also warned Merchant that the Court would dismiss the appeal unless,

within 7 days from the date of the letter, a response was filed explaining why the Court has jurisdiction of this appeal. Merchant filed a response, but it does not show that the Court has jurisdiction of this appeal.

This appeal is dismissed.<sup>1</sup> See TEX. R. APP. P. 44.3.

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins

Appeal dismissed

Opinion delivered and filed January 2, 2014

Do not publish

[CR25]

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<sup>1</sup> A motion for rehearing may be filed within 15 days after the judgment or order of this Court is rendered. TEX. R. APP. P. 49.1. If the appellant desires to have the decision of this Court reviewed by the Court of Criminal Appeals, a petition for discretionary review must be filed in the Court of Criminal Appeals within 30 days after either the day the court of appeals' judgment was rendered or the day the last timely motion for rehearing was overruled by the court of appeals. TEX. R. APP. P. 68.2 (a).