



**IN THE  
TENTH COURT OF APPEALS**

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**No. 10-14-00144-CR**

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**TERRY ROBERTS,**

**Appellant**

**v.**

**THE STATE OF TEXAS,**

**Appellee**

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**From the 278th District Court  
Walker County, Texas  
Trial Court Nos. 26,653, 26,655 and 26,657**

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**MEMORANDUM OPINION**

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In these three causes, Appellant Terry Roberts appeals the denial of his pretrial writ of habeas corpus. In the Clerk of the Court's June 24, 2014 letter, Roberts was warned that the Court would dismiss his appeals because there is no appealable order or judgment in the record unless, within fourteen days after the date of the letter,

Roberts showed grounds for continuing the appeals. Roberts has not responded to the Clerk of the Court's June 24, 2014 letter.

This Court has jurisdiction to consider appeals from a judgment or order in a habeas corpus proceeding. *See* TEX. R. APP. P. 31.1. But a docket sheet entry is neither a judgment nor an order. *In re Bill Heard Chevrolet, Ltd.*, 209 S.W.3d 311, 315 (Tex. App.—Houston [1st Dist.] 2006) (orig. proceeding) (holding that docket sheet entry does not ordinarily form part of record that can be considered on appeal and cannot take place of written judgment or order). Likewise, an oral ruling does not constitute the “ent[ry of] an appealable order” for the purposes of perfecting appeal. *See* TEX. R. APP. P. 26.2(a)(1) (providing that appellant must file a notice of appeal “within 30 days ... after the day the trial court enters an appealable order”); *State ex rel. Sutton v. Bage*, 822 S.W.2d 55, 56-57 (Tex. Crim. App. 1992) (interpreting phrase “entered by the court” as meaning signing of order by trial judge).

Although there is a docket sheet entry in these cases that Roberts's pro se writ of habeas corpus was denied, the record in this case contains no written signed order by the trial court. There is, therefore, no appealable order or judgment in the record. We thus lack jurisdiction and dismiss Roberts's appeals.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed July 24, 2014  
Do not publish  
[CR25]