



**IN THE
TENTH COURT OF APPEALS**

No. 10-16-00165-CR

ALBERT DAWSON, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 77th District Court
Limestone County, Texas
Trial Court No. 13561-A**

No. 10-16-00172-CR

ALBERT DAWSON, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 2nd 25th District Court
Colorado County, Texas
Trial Court No. CR15-067**

MEMORANDUM OPINION

Albert Dawson Jr. seeks to appeal the trial court's denial of his pro se post-conviction motion to reduce his illegal sentences in these two cases. Dawson's letter, which is being treated as a notice of appeal,¹ states that the trial court denied Dawson's motion to reduce his illegal sentence in both cases.

Cause No. 13561-A: This case is from the 77th District Court in Limestone County. We do not have jurisdiction of a direct appeal of the trial court's denial of a post-conviction motion to reduce an illegal sentence. *See Abbott v. State*, 271 S.W.3d 694 (Tex. Crim. App. 2008) (stating that 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 court has jurisdiction over criminal appeals only when expressly granted by law). No law authorizes such a direct appeal. *Cf. Ex parte Rich*, 194 S.W.3d 508, 512-13 (Tex. Crim. App. 2006) (defendant may raise challenge to illegal sentence for first time on habeas corpus review). Accordingly, the appeal of the trial court's denial of Dawson's motion to reduce his illegal sentence in Cause No. 13561-A is dismissed for lack of jurisdiction.

Cause No. CR-15-067: This case is from the 2nd 25th District Court in Colorado County. We do not have territorial jurisdiction of an appeal from Colorado County, which is within the territorial jurisdiction of the First Court of Appeals. *See TEX. GOV'T.*

¹ A defendant's letter that demonstrates a desire to appeal is sufficient to serve as a notice of appeal. *See Palma v. State*, 76 S.W.3d 638, 641-42 (Tex. App. – Corpus Christi 2002, pet. ref'd); *see also Pharris v. State*, 196 S.W.3d 369, 372 (Tex. App. – Houston [1st Dist.] 2006, no pet.).

CODE ANN. §§ 22.220(a), 22.201(b, k) (West Supp. 2015). Accordingly, the appeal of the trial court's denial of Dawson's motion to reduce his illegal sentence in Cause No. CR-15-067 is dismissed for lack of jurisdiction.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Dismissed

Opinion delivered and filed June 2, 2016

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