



**IN THE  
TENTH COURT OF APPEALS**

**No. 10-16-00253-CR**

**ROY LEE BOYKIN,**

**Appellant**

**v.**

**THE STATE OF TEXAS,**

**Appellee**

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**From the 54th District Court  
McLennan County, Texas  
Trial Court No. 2014-572-C2**

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**MEMORANDUM OPINION**

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On August 3, 2016, inmate Roy Lee Boykin filed a "Notice of Appeal" in this Court, challenging the trial court's denial of his motion for loan of the Reporter's Record. Included in Boykin's "Notice of Appeal" are statements that he wishes to compel the trial court to allow him access to the Reporter's Record so that he may file a post-conviction application for writ of habeas corpus raising claims of actual innocence, ineffective

assistance of counsel, breach of a plea agreement, prosecutorial misconduct, and various other purported violations.

The right of appeal in criminal cases is conferred by the Legislature, and a party may appeal only from judgments of conviction or interlocutory orders authorized as appealable. See TEX. CODE CRIM. PROC. ANN. art. 44.02 (West 2006); TEX. R. APP. P. 25.2(a)(2); see also *Ragston v. State*, 424 S.W.3d 49, 52 (Tex. Crim. App. 2014) (“[T]he standard for determining jurisdiction is not whether the appeal is precluded by law, but whether the appeal is authorized by law.” (quoting *Abbott v. State*, 271 S.W.3d 694, 696-97 (Tex. Crim. App. 2008))). In this case, appellant does not appeal from a judgment of conviction or an appealable interlocutory order. See, e.g., *Richard v. State*, No. 01-16-00196-CR, 2016 Tex. App. LEXIS 3913, at \*3 (Tex. App.—Houston [1st Dist.] Apr. 14, 2016, no pet.) (mem. op., not designated for publication) (per curiam) (citing *Hosea v. State*, No. 01-14-01017-CR, 2015 Tex. App. LEXIS 1858, at \*\*1-2 (Tex. App.—Houston [1st Dist.] Feb. 26, 2015, no pet.) (mem. op., not designated for publication) (per curiam) (“The denial of a motion to obtain a free record is not an appealable order.”)); *Poole v. State*, No. 14-14-00081-CR, 2014 Tex. App. LEXIS 3292, at \*1 (Tex. App.—Houston [14th Dist.] Mar. 27, 2014, no pet.) (mem. op., not designated for publication) (per curiam) (citing *Manning v. State*, No. 14-11-00464-CR, 2011 Tex. App. LEXIS 4537, at \*1 (Tex. App.—Houston [14th Dist.] June 16, 2011, no pet.) (mem. op., not designated for publication) (per curiam)). Because this appeal is not from a judgment of conviction or an appealable interlocutory

order, we have no jurisdiction. *See Ragston*, 424 S.W.3d at 52; *see also Abbott*, 271 S.W.3d at 696-97. Accordingly, this appeal is dismissed.

AL SCOGGINS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal Dismissed  
Opinion delivered and filed August 31, 2016  
Do not publish  
[CR25]

