



IN THE
TENTH COURT OF APPEALS

No. 10-20-00023-CR

JAY VINCENT HOPWOOD, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 54th District Court
McLennan County, Texas
Trial Court No. 2008-1657-C2

MEMORANDUM OPINION

Jay Vincent Hopwood, Jr. appeals the trial court's denial of Hopwood's "Motion for Nunc Pro Tunc Judgement."

We do not have appellate jurisdiction of the denial of a motion for judgment nunc pro tunc. *Everett v. State*, 82 S.W.3d 735 (Tex. App.—Waco 2002, pet. dism'd). The appropriate remedy to obtain review of the denial of a nunc pro tunc motion is by a petition for writ of mandamus. *Ex parte Forooghi*, 185 S.W.3d 498 (Tex. Crim. App. 2006)

(Johnson, J., concurring statement); *see also Ex parte Ybarra*, 149 S.W.3d 147, 149 (Tex. Crim. App. 2004).

Accordingly, we dismiss this appeal for want of jurisdiction. *See* TEX. R. APP. P. 43.2(f).

Hopwood may file a motion for rehearing with this Court within 15 days after this opinion and judgment are rendered if he believes this opinion and judgment are erroneously based on inaccurate information or documents. *See* TEX. R. APP. P. 49.1. If Hopwood desires to have the decision of this Court reviewed by filing a petition for discretionary review, that petition must be filed with the Court of Criminal Appeals within 30 days after either the day this Court's judgment was rendered or the day the last timely motion for rehearing was overruled by this Court. *See* TEX. R. APP. P. 68.2(a).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill
Appeal dismissed
Opinion delivered and filed January 22, 2020
Do not publish
[CR25]

