



IN THE
TENTH COURT OF APPEALS

No. 10-21-00151-CR

No. 10-21-00152-CR

No. 10-21-00153-CR

No. 10-21-00154-CR

MARCELLO LACRAIG GIBBS,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 13th District Court
Navarro County, Texas
Trial Court Nos. D37514, D37513,
D36431, and D36433

MEMORANDUM OPINION

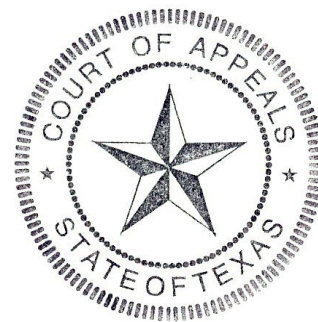
In these proceedings, appellant, Marcello LaCraig Gibbs, challenges the trial court's denial of his pro se "Motion to Obtain Trial Documents in Forma Pauperis" in each of these cases. The right of appeal in a criminal case is a statutorily created right. *See* TEX. CODE CRIM. PROC. art. 44.02; *see also* *Bayless v. State*, 91 S.W.3d 801, 805 (Tex. Crim. App. 2002). Generally, a criminal defendant may only appeal from a final judgment. *State v.*

Sellers, 790 S.W.2d 316, 321 n.4 (Tex. Crim. App. 1990). Because appellant is not appealing from a judgment of conviction or an otherwise appealable order, we have no jurisdiction. See *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))). We therefore dismiss these appeals for lack of jurisdiction.

Appellant may file a motion for rehearing with this Court within fifteen days after the opinion and judgments are rendered. See TEX. R. APP. P. 49.1. If appellant 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 thirty days after either this Court's judgments are rendered or the day that the last timely motion for rehearing is overruled by this Court. See *id.* at 68.2(a).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Johnson, and
Justice Wright¹
Appeals dismissed
Opinion delivered and filed July 14, 2021
Do not publish
[CR25]



¹ The Honorable Jim R. Wright, Senior Chief Justice (Retired) of the Eleventh Court of Appeals, sitting by assignment of the Chief Justice of the Texas Supreme Court. See TEX. GOV'T CODE §§ 74.003, 75.002, 75.003. *Gibbs v. State*