

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

**NO. 03-15-00412-CR
NO. 03-15-00413-CR
NO. 03-15-00414-CR**

Adam Perez, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 147TH JUDICIAL DISTRICT
NOS. D-1-DC-14-100090, D-1-DC-14-100091 & D-1-DC-14-100092
HONORABLE CLIFFORD A. BROWN, JUDGE PRESIDING**

MEMORANDUM OPINION

Adam Perez filed notices of appeal seeking to challenge his “convictions” in three district court causes. However, there are no judgments of conviction in these underlying causes, only hung-jury orders stating in each cause that the court declared a mistrial.¹

With certain exceptions not implicated here, this Court has jurisdiction to consider an appeal filed by a criminal defendant only after a final judgment of conviction. *See* Tex. Code Crim. Proc. art. 44.02 (providing that criminal defendant may appeal conviction); *State v. Sellers*, 790 S.W.2d 316, 321 n.4 (Tex. Crim. App. 1990) (noting that defendant’s general right to appeal under Article 44.02 “has always been limited to appeal from a ‘final judgment’”); *Workman v. State*,

¹ The record reflects that the notices of appeal were filed the day before the district court signed the three hung-jury orders.

343 S.W.2d 446, 447 (Tex. Crim. App. 1961) (holding that court's judgment discharging criminal defendant from liability was not appealable judgment). Absent any judgments of conviction, we lack jurisdiction to consider Perez's appeals. *See Ballard v. State*, Nos. 01-08-00947-CR, 01-08-00948-CR, 2009 Tex. App. LEXIS 7936, at *2-3 (Tex. App.—Houston [1st Dist.] Oct. 8, 2009, no pet.) (mem. op., not designated for publication) (dismissing one appeal for want of jurisdiction because underlying cause was dismissed and had no judgment of conviction against appellant).

Accordingly, we dismiss these appeals for want of jurisdiction. *See Tex. R. App. P. 43.2(f)*.

Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Pemberton and Field

Dismissed for Want of Jurisdiction

Filed: August 28, 2015

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