

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-19-00885-CR

Ex parte Alberto Vazquez

**FROM THE 368TH DISTRICT COURT OF WILLIAMSON COUNTY
NO. 18-0179-K368, THE HONORABLE RICK J. KENNON, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Appellant Alberto Vazquez seeks to appeal the trial court’s order denying his pretrial application for writ of habeas corpus. *See* Tex. Code Crim. Proc. arts. 11.01, 11.05, 11.08. However, the clerk’s record does not contain the required trial-court certification of appellant’s right of appeal. *See* Tex. R. App. P. 25.2(a)(2) (requiring trial court to “enter a certification of the defendant’s right of appeal each time it enters a judgment of guilt or other appealable order”); *see also Ex parte Stevens*, No. 03-19-00103-CR, 2019 Tex. App. LEXIS 1835, at *1 (Tex. App.—Austin Mar. 11, 2019) (per curiam order) (mem. op., not designated for publication) (“An order denying a pretrial application seeking habeas corpus relief is an appealable order.”).

Accordingly, we abate the appeal for the trial court to prepare and file its certification of appellant’s right of appeal as required by the Texas Rules of Appellate Procedure. *See* Tex. R. App. P. 25.2(a)(2), 44.4. A supplemental clerk’s record containing the trial court’s

certification shall be filed with this Court no later than January 9, 2020. *See* Tex. R. App. P. 25.2(d), 34.5(c)(2).

It is so ordered December 20, 2019.

Before Chief Justice Rose, Justices Triana and Smith

Abated and Remanded

Filed: December 20, 2019

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