



NUMBER 13-16-00297-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

STEVEN PEREZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 117th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Rodriguez, Benavides, and Perkes
Memorandum Opinion Per Curiam**

Appellant, Steven Perez, proceeding pro se, attempts to appeal “orders denying his Motion to Recuse Judge Watts, his Motion to Disqualify Judge Watts, his Motion for Appointment of Counsel, his requests to subpoena Judge Watts, his trial attorney, the trial prosecutors, trial attendees, trial jurors, his request for discovery, his request for

bench warrant, his request to allow video recording of the hearing, and the denial of his Motion for Continuance, entered on May 20, 2016.” On June 2, 2016, the Clerk of this Court notified appellant that it appeared that the orders from which the appeal was taken were not appealable orders, and requested correction of this defect within ten days or the appeal would be dismissed. Appellant has failed to respond to the Court’s directive. We dismiss this appeal for want of jurisdiction.

An appellate court has the obligation to determine its own jurisdiction. See *Ramirez v. State*, 89 S.W.3d 222, 225 (Tex. App.—Corpus Christi 2002, no pet.); *Yarbrough v. State*, 57 S.W.3d 611, 615 (Tex. App.—Texarkana 2001, pet. ref’d); see also *Laureles v. State*, No. 13-13-00535-CR, 2014 WL 1669102, at *1 (Tex. App.—Corpus Christi Apr. 24, 2014, no pet.) (mem. op., not designated for publication). A defendant’s notice of appeal must be filed within thirty days after the trial court enters an appealable order. See TEX. R. APP. P. 26.2(a)(1). A notice of appeal which complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. *Id.* Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

Generally, a state appellate court only has jurisdiction to consider an appeal by a criminal defendant where there has been a final judgment of conviction. *Workman v. State*, 170 Tex. Crim. 621, 343 S.W.2d 446, 447 (1961); *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.). Exceptions to the general rule include: (1) certain appeals while on deferred adjudication community supervision, *Kirk v. State*,

942 S.W.2d 624, 625 (Tex. Crim. App. 1997); (2) appeals from the denial of a motion to reduce bond, TEX. R. APP. P. 31.1; *McKown*, 915 S.W.2d at 161; and (3) certain appeals from the denial of habeas corpus relief, *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.); *McKown*, 915 S.W.2d at 161.

The Court, having examined and fully considered the notice of appeal and motions filed by appellant, is of the opinion that there is not an appealable order and this Court lacks jurisdiction over the matters herein. Our review of the documents before the Court does not reveal any appealable orders entered by the trial court within thirty days before the filing of appellant's notice of appeal. Accordingly, this appeal is DISMISSED for lack of jurisdiction. All pending motions are likewise DISMISSED as moot.

PER CURIAM

Do not publish.
See TEX. R. APP. P. 47.2(b).

Delivered and filed the
23rd day of June, 2016.