



**NUMBERS 13-17-00411-CR & 13-17-00412-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**EX PARTE JEFFREY DUPREE ROBINSON**

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**On appeal from the 24th District Court  
of Jackson County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Rodriguez, Contreras, and Benavides  
Memorandum Opinion by Justice Contreras**

Appellant Jeffrey Dupree Robinson, proceeding pro se, filed a notice of appeal on July 12, 2017, from trial court cause numbers 16-2-9608 and 16-2-9609 in the 24th District Court of Jackson County, Texas. The appeals were docketed respectively in this Court as cause numbers 13-17-00411-CR and 13-17-00412-CR. Appellant sought to appeal a ruling denying appellant's application for writ of habeas corpus in these causes "without written order." We dismiss the appeals.

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*, 343 S.W.2d 446, 447 (Tex. Crim. App. 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. We note that in a habeas corpus proceeding, an order denying relief on the merits is a final judgment and is immediately appealable. See *Greenwell v. Ct. of App. for the Thirteenth Jud. Dist.*, 159 S.W.3d 645, 650 (Tex. Crim. App. 2005). However, a trial court's oral pronouncement is not appealable until a written order is signed. See *State v. Sanavongxay*, 407 S.W.3d 252, 258–59 (Tex. Crim. App. 2012); *Ex parte Wiley*, 949 S.W.2d 3, 4 (Tex. App.—Fort Worth 1996, no pet.); see also *Emerald Oaks Hotel/Conference Ctr., Inc. v. Zardenetta*, 776 S.W.2d 577, 578 (Tex. 1989), *Ex parte Perez*, No. 14-13-01048-CR, 2014 WL 4416011, at \*1 (Tex. App.—Houston [14th Dist.] Sept. 9, 2014, no pet. h.) (mem. op.); *Intercity Mgmt. Corp. v. Chambers*, 820 S.W.2d 811, 812 (Tex. App.—Houston [1st Dist.] 1991,

orig. proceeding).

On July 24, 2017, the Clerk of this Court notified appellant that it appeared that there were no final, appealable orders in these cases and requested correction of these defects, if it could be done. The Clerk further notified appellant that the appeals would be dismissed if these defects were not cured. Appellant has not corrected the defects or otherwise responded to this Court's directive.

The Court, having examined and fully considered the notice of appeal and the matters before the Court, is of the opinion that there are no appealable orders and this Court lacks jurisdiction over the matters herein. Because there are no appealable orders, we DISMISS the appeals for want of jurisdiction. All pending motions, if any, are likewise DISMISSED.

DORI CONTRERAS  
Justice

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

Delivered and filed  
the 31st day of August, 2017.