



**NUMBERS 13-20-00162-CR, 13-20-00163-CR,
AND 13-20-00164-CR**

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

SAMANTHA ASHELL LEAL,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 319th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Justices Hinojosa, Perkes, and Tijerina
Memorandum Opinion by Justice Hinojosa**

Appellant Samantha Ashell Leal attempts to appeal three separate orders imposing sanctions and modifying the terms of her community supervision issued in trial

court cause numbers CR14004101-G, CR15003414-G, and CR16002256-G.¹ We dismiss each appeal for want of jurisdiction.

Leal pleaded *nolo contendere* to injury to an elderly individual, a third-degree felony, see TEX. PENAL CODE ANN. § 22.04; possession of a controlled substance in penalty group one in an amount less than one gram, a state jail felony, see TEX. HEALTH & SAFETY CODE ANN. § 481.115; and manufacture and delivery of a controlled substance in penalty group one in an amount of four grams or more but less than 200 grams, a first-degree felony. See *id.* § 481.112(d). The trial court placed Leal on deferred adjudication community supervision for periods of ten years, five years, and ten years, respectively.

The State filed separate motions to adjudicate guilt for each cause, each alleging that Leal violated the conditions of her community supervision by using marijuana and methamphetamines, failing to report to her community supervision officer, and failing to pay court costs and fees.² The trial court held a consolidated hearing on the State's motions to adjudicate, at which Leal plead true to the alleged violations. In each cause, the trial court continued Leal on community supervision, modified the terms of her supervision, and imposed a sanction of confinement in the Nueces County Jail followed

¹ Appellate cause numbers 13-20-00162-CR, 13-20-00163-CR, and 13-20-00164-CR pertain to Leal's appeal of the trial court's orders issued in trial court cause numbers CR14004101-G, CR15003414-G, and CR16002256-G, respectively. The State's motions to adjudicate were heard by the trial court in one proceeding, allowing us to consider each appeal in a consolidated opinion.

Leal's court-appointed appellate counsel has filed an *Anders* brief in each appellate cause, stating that there are no non-frivolous grounds to support an appeal. See *Anders v. California*, 386 U.S. 738, 744 (1967). However, for the reasons discussed in this consolidated opinion, we do not have jurisdiction over the appeal. Therefore, we do not reach the merits of this contention.

² The State filed two prior motions to adjudicate guilt. As a result of each, the trial court modified the conditions of Leal's community supervision and imposed sanctions. See TEX. CODE CRIM. PRO. ANN. art. 42A.752.

by Leal's release to a Substance Abuse Felony Punishment Facility.

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—Edinburg 2002, no pet.); *Yarbrough v. State*, 57 S.W.3d 611, 615 (Tex. App.—Texarkana 2001, pet. ref'd); *Laureles v. State*, No. 13-13-00535-CR, 2014 WL 1669102, at *1 (Tex. App.—Corpus Christi—Edinburg Apr. 24, 2014, no pet.) (mem. op., not designated for publication). This court does not have jurisdiction to consider an appeal from an order altering or modifying the conditions of community supervision. See *Davis v. State*, 195 S.W.3d 708, 710 (Tex. Crim. App. 2006); *Basaldua v. State*, 558 S.W.2d 2, 5 (Tex. Crim. App. 1977); *Christopher v. State*, 7 S.W.3d 224, 225 (Tex. App.—Houston [1st Dist.] 1999, pet. ref'd); see also *Helms v. State*, No. 02-14-00170-CR, 2014 WL 3778283, at *1 (Tex. App.—Fort Worth July 31, 2014, no pet.) (mem. op., not designated for publication); *Laureles*, 2014 WL 1669102, at *1; *Roberts v. State*, No. 04-11-00154-CR, 2011 WL 2150762, at *1 (Tex. App.—San Antonio May 25, 2011, pet. ref'd) (mem. op., not designated for publication).

The Court, having examined and fully considered the notices of appeal and the matters before the Court, concludes that there is not an appealable order and this Court lacks jurisdiction over the matters herein. Because there is no appealable order, we DISMISS each appeal for want of jurisdiction. See *Davis*, 195 S.W.3d at 710; *Basaldua*, 558 S.W.2d at 5. All pending motions, if any, are likewise DISMISSED.

LETICIA HINOJOSA
Justice

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

Delivered and filed the
27th day of August, 2020.