



NUMBER 13-20-00438-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

JUSTIN RAY GARZA,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 148th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Longoria and Perkes
Memorandum Opinion by Justice Longoria**

Upon review of the documents before the Court, it appears there is no final appealable order. Furthermore, according to the record, the trial court has certified "the defendant has no right of appeal" in this matter. See TEX. R. APP. P. 25.2(a)(2).

On October 26, 2020, this Court notified appellant of this defect and provided thirty days to correct. Appellant responded that he was not attempting to appeal his conviction but rather filed the notice in anticipation of a denial to his motion for nunc pro tunc.

The Texas Rules of Appellate Procedure provide that an appeal must be dismissed if the trial court's certification does not show that the defendant has the right of appeal. TEX. R. APP. P. 25.2(d); *see* TEX. R. APP. P. 37.1, 44.3, 44.4. Furthermore, the record does not reflect any other final and appealable order, and appellant has failed to cure such defect. Accordingly, this appeal is DISMISSED.

NORA L. LONGORIA
Justice

Do not publish.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

Delivered and filed the
19th day of November, 2020.