



NUMBER 13-24-00146-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

EX PARTE JORGE ALBERTO RODRIGUEZ

**ON APPEAL FROM THE 103RD DISTRICT COURT
OF CAMERON COUNTY, TEXAS**

MEMORANDUM OPINION

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

Proceeding pro se, appellant Jorge Alberto Rodriguez filed a notice of appeal in this Court seeking to set aside a ruling by the Texas Court of Criminal Appeals denying appellant's application for writ of habeas corpus without a written order. On March 14, 2024, the Clerk of this Court notified appellant that it appeared that there was no final, appealable order, advised appellant to correct this defect, if possible, and informed appellant that the appeal would be dismissed if the defect was not corrected. See TEX. R. APP. P. 37.1. Appellant did not respond to the Clerk's directive and did not otherwise

correct the defect in his appeal. Appellant did, however, file a motion requesting us to command the trial court to provide written findings of fact and conclusions of law.

A defendant's right to appeal in a criminal case is provided by statute. *Dorsey v. State*, 662 S.W.3d 451, 452 (Tex. Crim. App. 2021); *Griffin v. State*, 145 S.W.3d 645, 646 (Tex. Crim. App. 2004). "Texas Code Criminal Procedure Article 44.02 establishes a defendant's right to appeal and Texas Rule of Appellate Procedure 25.2 specifies the procedures to follow, consistent with that statutory grant of appeal." *Dorsey*, 662 S.W.2d at 451; see TEX. CODE CRIM. PROC. ANN. art. 44.02 ("[a] defendant in any criminal action has the right of appeal under the rules hereinafter prescribed"); TEX. R. APP. P. 25.2 (a defendant "has the right of appeal under Code of Criminal Procedure article 44.02 and these rules" in every case in which the trial court "enters a judgment of guilt or other appealable order").

There is no statute, rule, or other authority which would grant us jurisdiction to review the ruling of the Texas Court of Criminal Appeals denying appellant's application for writ of habeas corpus. Accordingly, we dismiss the appeal and appellant's pending motion for lack of jurisdiction.

DORI CONTRERAS
Chief Justice

Do not publish.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

Delivered and filed on the
2nd day of May, 2024.