

NO. 12-16-00177-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

FRANK ANTHONY EVANS,
APPELLANT

§ ***APPEAL FROM THE 7TH***

V.

§ ***JUDICIAL DISTRICT COURT***

THE STATE OF TEXAS,
APPELLEE

§ ***SMITH COUNTY, TEXAS***

MEMORANDUM OPINION
PER CURIAM

Appellant, Frank Anthony Evans, attempts to appeal from an order denying his “Motion for Free Clerk’s Record or Loan.”

As a general rule, an appeal in a criminal case may be taken only from a judgment of conviction. *See Workman v. State*, 343 S.W.2d 446, 447 (Tex. Crim. App. 1961). However, there are certain narrow exceptions. *Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.–Dallas 1998, no pet.) (listing exceptions). The order Appellant complains of is not a judgment of conviction nor does it fall within any exception to the general rule. Therefore, this Court has no jurisdiction over the appeal.

On June 22, 2016, this Court notified Appellant that the information received in this appeal does not include a final judgment or other appealable order and therefore does not show the jurisdiction of this Court. *See* TEX. R. APP. P. 37.2. Appellant was further notified that the appeal would be dismissed unless the information was amended, on or before July 22, 2016, to show the jurisdiction of this Court. *See* TEX. R. APP. P. 44.3. Appellant has not responded to the June 22, 2016 notice. Accordingly, the appeal is *dismissed for want of jurisdiction*. *See* TEX. R. APP. P. 42.3(a).

Opinion delivered July 29, 2016.

Panel consisted of Worthen, C.J., Hoyle, J., and Neeley, J.

(DO NOT PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

JULY 29, 2016

NO. 12-16-00177-CR

FRANK ANTHONY EVANS,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 7th District Court
of Smith County, Texas (Tr.Ct.No. 007-1297-13)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this court is without jurisdiction of the appeal, and that the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed for want of jurisdiction**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.
Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.