

**NOS. 12-17-00354-CR  
12-17-00355-CR  
12-17-00356-CR**

**IN THE COURT OF APPEALS  
TWELFTH COURT OF APPEALS DISTRICT  
TYLER, TEXAS**

***RODERICK CREAG, SR.,  
APPELLANT***

**§ *APPEAL FROM THE 349TH***

***V.***

**§ *JUDICIAL DISTRICT COURT***

***THE STATE OF TEXAS,  
APPELLEE***

**§ *HOUSTON COUNTY, TEXAS***

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***MEMORANDUM OPINION  
PER CURIAM***

In 2013, Roderick Creag, Sr. was convicted of murder, unlawful possession of a firearm by a felon, and aggravated assault with a deadly weapon, for which he was sentenced to imprisonment for life, twenty years, and life respectively. This Court affirmed Appellant's convictions. See *Creag v. State*, Nos. 12-13-00278-CR, 12-13-00279-CR, 12-13-00280-CR, 2014 WL 2921893 (Tex. App.—Tyler, June 30, 2014, pet. ref'd) (mem. op., not designated for publication). On November 15, 2017, Appellant filed a notice of appeal to challenge the denial of his motion to correct a bill of costs in trial court cause numbers 12-CR-145, 12-CR-146, and 12-CR-147.

On November 15, this Court notified Appellant that the notice of appeal failed to show the jurisdiction of the Court, i.e., the order being appealed is not an appealable order. We informed Appellant that the appeals would be dismissed unless the information was amended on or before November 27 to show the jurisdiction of the Court. The deadline has passed and Appellant failed to respond to this Court's November 15 letter.

Appellant previously attempted to appeal from the denial of his motion to correct the bill of costs. This Court dismissed the appeals for want of jurisdiction. See *Creag v. State*, No. 12–

17-00270-CR, No. 12-17-00271-CR, No. 12-17-00272-CR 2017 WL 4322122 (Tex. App.—Tyler Sept. 29, 2017, pet. ref'd) (mem. op., not designated for publication). We explained that an appellate court has jurisdiction over a criminal appeal only from a final judgment of conviction or where expressly granted by law. *See id.* at \*1 (citing *McIntosh v. State*, 110 S.W.3d 51, 52 (Tex. App.—Waco 2002, no pet.)). Because we found no rule or statutory or constitutional provision that would authorize Appellant's appeal from the trial court's post-judgment order denying his motion to correct the bill of costs, we determined that we lacked authority to consider Appellant's appeals. *See id.* (citing *Abbott v. State*, 271 S.W.3d 694, 697 (Tex. Crim. App. 2008)); *see also Reece v. State*, No. 06-16-00050-CR, 2016 WL 9175799, at \*1 (Tex. App.—Texarkana May 27, 2016, no pet.) (mem. op., not designated for publication) (dismissing appeal for want of jurisdiction because order denying motion for removal of a court cost was not an appealable order and Reece failed to timely assert his complaint concerning the assessment of costs in the 2010 judgment of conviction). Only the Texas Court of Criminal Appeals has authority over post-conviction criminal complaints. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991); *see also In re Briscoe*, 230 S.W.3d 196, 196-97 (Tex. App.—Houston [14th Dist.] 2006, orig. proceeding); *In re McAfee*, 53 S.W.3d 715, 718 (Tex. App.—Houston [1st Dist.] 2001, orig. proceeding). For these reasons we *dismiss* the appeals for *want of jurisdiction*. *See* TEX. R. APP. P. 43.2(f).

Opinion delivered November 30, 2017.

*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**

**NOVEMBER 30, 2017**

**NO. 12-17-00354-CR**

**RODERICK CREAG, SR.,**  
Appellant  
V.  
**THE STATE OF TEXAS,**  
Appellee

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Appeal from the 349th District Court  
of Houston County, Texas (Tr.Ct.No. 12-CR-145)

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THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this Court that this 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.*



**COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT OF TEXAS**

**JUDGMENT**

**NOVEMBER 30, 2017**

**NO. 12-17-00355-CR**

**RODERICK CREAG, SR.,**

Appellant

V.

**THE STATE OF TEXAS,**

Appellee

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Appeal from the 349th District Court  
of Houston County, Texas (Tr.Ct.No. 12-CR-146)

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THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this Court that this 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.*



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

NOVEMBER 30, 2017

NO. 12-17-00356-CR

**RODERICK CREAG, SR.,**

Appellant

V.

**THE STATE OF TEXAS,**

Appellee

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Appeal from the 349th District Court  
of Houston County, Texas (Tr.Ct.No. 12-CR-147)

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THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this Court that this 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.*