

NO. 12-19-00215-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

CLINTON RYAN WARD,
APPELLANT

§ ***APPEAL FROM THE 114TH***

V.

§ ***JUDICIAL DISTRICT COURT***

THE STATE OF TEXAS,
APPELLEE

§ ***SMITH COUNTY, TEXAS***

MEMORANDUM OPINION
PER CURIAM

On June 3, 2019, Clinton Ryan Ward, acting pro se, filed a notice of appeal regarding trial court cause number 114-1505-18. On August 15, the Smith County District Clerk filed a record with this Court. The record demonstrates that on July 26, the State filed a motion to dismiss cause number 114-1505-18. The trial court signed an order of dismissal on July 29.

In criminal cases, unless expressly authorized by statute, appellate courts have jurisdiction to review only final judgments. *See Abbott v. State*, 271 S.W.3d 694, 696–97 (Tex. Crim. App. 2008) (standard for determining jurisdiction is not whether appeal is precluded by law but whether appeal is authorized by law); *see also Young v. State*, No. 12-06-00189-CR, 2006 WL 1699585, at *1 (Tex. App.—Tyler June 21, 2006, no pet.) (mem. op. not designation for publication). An order dismissing an indictment is not an order from which an appellant may appeal. *Petty v. State*, 800 S.W.2d 582, 584 (Tex. App.—Tyler 1990, no writ); *see Sinclair v. State*, No. 01-18-00479-CR, 2018 WL 4132258, at *1 (Tex. App.—Houston [1st Dist.] Aug. 30, 2018, no pet.) (mem. op., not designated for publication); *see also Meeks v. State*, No. 14-14-00497-CR, 2014 WL 3843821, at *1 (Tex. App.—Houston [14th Dist.] Aug. 5, 2014, no pet.) (mem. op., not designated for publication); *Bohannon v. State*, 352 S.W.3d 47, 48 (Tex. App.—Fort Worth 2011, pet. ref'd). Accordingly, there is no judgment of conviction in trial court cause number 114-1505-18; thus, we

have no jurisdiction to consider Appellant's appeal in this case. Consequently, we *dismiss* this appeal for *want of jurisdiction*.

Opinion delivered September 11, 2019.

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(DO NOT PUBLISH)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

SEPTEMBER 11, 2019

NO. 12-19-00215-CR

CLINTON RYAN WARD,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 114th District Court
of Smith County, Texas (Tr.Ct.No. 114-1505-18)

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