

**NO. 12-19-00351-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***JASON ELFARR,  
APPELLANT***

§ ***APPEAL FROM THE***

***V.***

§ ***COUNTY COURT***

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

§ ***ANDERSON COUNTY, TEXAS***

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***MEMORANDUM OPINION  
PER CURIAM***

Jason Elfarr filed a notice of appeal in trial court cause number 65110A. A notice of appeal must be filed: (1) within 30 days after the day sentence is imposed or suspended in open court, or after the day the trial court enters an appealable order; or (2) within 90 days after the day sentence is imposed or suspended in open court if the defendant timely files a motion for new trial. TEX. R. APP. P. 26.2(a). In a criminal case, a prematurely filed notice of appeal is not effective if filed before the trial court makes a finding of guilt or receives a jury verdict. TEX. R. APP. P. 27.1(b).

The record in this case does not indicate that the trial court has either made a finding of guilt or received a jury verdict. On November 1, 2019, the Clerk of this Court notified Appellant that the information received in this appeal does not show the jurisdiction of this Court. Specifically, there is no final judgment or appealable order contained therein. The notice further informed Appellant that the appeal would be dismissed unless the information was amended on or before December 2 to show this Court's jurisdiction. This deadline passed without a response from Appellant.

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). Because there is no judgment of conviction in trial court cause number 65110A and there has been no finding of guilt or jury verdict, we have no jurisdiction to consider Appellant’s appeal in this case. Consequently, we *dismiss* this appeal for *want of jurisdiction*.

Opinion delivered December 4, 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(DO NOT PUBLISH)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

DECEMBER 4, 2019

NO. 12-19-00351-CR

**JASON ELFARR,**  
Appellant  
V.  
**THE STATE OF TEXAS,**  
Appellee

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Appeal from the County Court  
of Anderson County, Texas (Tr.Ct.No. 65110A)

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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.*