

Dismissed and Opinion filed March 23, 2000.



In The

## **Fourteenth Court of Appeals**

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NO. 14-00-00013-CR

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**CECIL DARNELL WORTHY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 230th District Court  
Harris County, Texas  
Trial Court Cause No. 806,653**

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### **O P I N I O N**

After a plea of no contest, appellant was convicted of the offense of aggravated sexual assault of a child and sentenced to fifteen years in the Texas Department of Criminal Justice--Institutional Division on September 22, 1999.

Appellant filed two notices of appeal in this case. The first, a general notice of appeal, was filed on September 22, 1999, the second was filed December 16, 1999. In this second notice of appeal, there is a handwritten notation on the notice that states appellant appellant is appealing only from the denial of his motion for new trial.

Upon receipt of the first notice of appeal, this court opened appellant's case and assigned it cause number 14-99-01280-CR. Pursuant to an order of the Texas Supreme Court, this case was transferred to the Eleventh Court of Appeals on January 3, 2000. When this court received the second notice of appeal, the case was opened a second time and assigned cause number 14-00-00013-CR. It appeared from the notice of appeal that appellant was attempting to perfect a second appeal to complain solely about the denial of the motion for new trial.

Appellant has now filed a motion to transfer this second attempted appeal, cause number 14-00-00013-CR, to the Eleventh Court of Appeals for consolidation with cause number 14-99-01280-CR. This motion is denied. There is a single judgment in this case based on appellant's conviction for one offense. Appellant may only perfect one appeal from this judgment. Appellant may not perfect an appeal from the denial of his motion for new trial. He may raise his complaint about the denial of the motion in the appeal pending in the Eleventh Court of Appeals, not in a separate appeal in this court.

Accordingly, we deny appellant's motion to transfer and order the appeal in cause number 14-00-00013-CR dismissed.

PER CURIAM

Judgment rendered and Opinion filed March 23, 2000.

Panel consists of Chief Justice Murphy and Justices Hudson and Wittig.

Do Not Publish — *See* TEX. R. APP. P. 47.3(b).