

Dismissed and Opinion filed August 24, 2000.



In The

## Fourteenth Court of Appeals

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NO. 14-99-01069-CR  
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**SERVANDO OLIVAREZ, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 183<sup>rd</sup> District Court  
Harris County, Texas  
Trial Court Cause No. 724694**

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### **OPINION**

Servando Olivarez appeals a pretrial order revoking his bond. Appellant was indicted for the felony offense of sexual assault of a child and released on a \$45,000 bond on June 17, 1996. Subsequently, the State moved to revoke appellant's bond for failure to comply with certain conditions set by the trial court. The trial court revoked appellant's bond on September 8, 1999, following a hearing, and Olivarez appeals that ruling. The State contends that because the trial court's decision to revoke appellant's bond is an interlocutory order, this Court lacks jurisdiction over the appeal. We agree.

As a general rule, an appellate court may consider appeals by criminal defendants only after a conviction has been entered. *See Ex parte Shumake*, 953 S.W.2d 842, 844 (Tex. App.—Austin 1997, no pet.); *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.). Intermediate appellate courts have no jurisdiction to review interlocutory orders absent express authority. *See Ex parte Apolinar v. State*, 820 S.W.2d 792, 794 (Tex. Crim. App. 1991). Narrow exceptions exist to this general rule in the following, limited circumstances:

1. appeals while on unadjudicated community supervision;
2. denial of a motion to reduce bond;
3. denial of habeas corpus relief in extradition cases;
4. denial of habeas corpus relief while on unadjudicated community supervision;
5. denial of pretrial applications of writs of habeas corpus alleging double jeopardy.

*Wright v. State*, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.) (citations omitted).

The record shows that appellant did not file a motion to reduce his bond in this instance. Appellant does not fall within one of the exceptions to the general rule and, therefore, we are without jurisdiction to entertain his appeal. *See Benford v. State*, 994 S.W.2d 404, 409 (Tex. App.—Waco 1999, no pet.) (holding that jurisdiction was lacking over a direct appeal from a pretrial order increasing bail); *Wright*, 969 S.W.2d at 589 (holding that the court lacked jurisdiction to entertain a direct appeal of a pretrial order revoking bond); *Shumake*, 953 S.W.2d at 846-47 (holding that a pretrial order raising bail was interlocutory and therefore not reviewable by direct appeal). Accordingly, we must dismiss this appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed August 24, 2000.

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

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