

COURT OF APPEALS OF TEXAS, THIRTEENTH DISTRICT

Douglas Loil Tankersley v. the State of Texas

Tankersley · No. 13-25-00541-CR · Decided February 5, 2026

SUMMARY

The Thirteenth District Court of Appeals of Texas dismissed Douglas Loil Tankersley’s appeal for want of jurisdiction. The trial court’s certification stated that Tankersley waived his right to appeal his guilty plea and punishment on count fourteen, and counsel did not establish that he had a right to appeal.

CASE DETAILS

COURT	Court of Appeals of Texas, Thirteenth District
WRITING FOR THE COURT	Aron Peña Jr.; Chief Justice Tijerina; Justice Peña; Justice West
JURISDICTION	Court of Appeals of Texas, Thirteenth District
DECIDED	February 5, 2026
DOCKET	13-25-00541-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant attempted to appeal a judgment of conviction on count fourteen in trial court cause number CR21-006. The trial court certified that appellant waived his right to appeal, and the court of appeals dismissed the appeal for want of jurisdiction.
STANDARD OF REVIEW	The appellate court reviewed its jurisdiction based on the trial court's certification of the defendant's right to appeal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Douglas Loil Tankersley v. The State of Texas

TOPICS

- appellate jurisdiction
- appellate procedure
- criminal procedure

PRACTICE AREAS

- Texas criminal appellate procedure
- criminal jurisdiction

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal when the trial court's certification did not show that the defendant had the right to appeal.

HOLDINGS

1. An appeal must be dismissed for want of jurisdiction when the trial court's certification does not show that the defendant has the right to appeal.

KEY QUOTATIONS

“The Texas Rules of Appellate Procedure provide that an appeal must be dismissed if the trial court’s certification does not show that the defendant has the right of appeal.”

FACTUAL BACKGROUND

Tankersley sought to appeal a judgment of conviction in count fourteen. The trial court's certification stated that he had waived his right to appeal guilty counts one through fourteen and punishment on count fourteen. Appellate counsel did not respond to the court's order or otherwise demonstrate that Tankersley had a right to appeal count fourteen.

PROCEDURAL HISTORY

Tankersley filed a notice of appeal from a conviction on count fourteen. The 51st District Court of Irion County certified that he waived his right to appeal guilty counts one through fourteen and punishment on count fourteen. After the appellate court ordered counsel to determine whether appellant had a right to appeal, counsel failed to respond or establish such a right. The court dismissed the appeal for want of jurisdiction; an appeal concerning counts one through thirteen remained pending in a separate cause.

DISPOSITION

dismissed

OPINION

PER CURIAM.

NUMBER 13-25-00541-CR COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS CORPUS CHRISTI – EDINBURG DOUGLAS LOIL TANKERSLEY, Appellant, v. THE STATE OF TEXAS, Appellee. ON APPEAL FROM THE 51ST DISTRICT COURT OF IRION COUNTY, TEXAS MEMORANDUM OPINION Before Chief Justice Tijerina and Justices Peña and West Memorandum Opinion by Justice Peña This cause is before the Court upon its own motion.

1 Appellant filed a notice of appeal attempting to appeal a judgment of conviction in count number fourteen in trial court cause number CR21-006. We now dismiss the appeal for want of jurisdiction. 1 This case is before the Court on transfer from the Third Court of Appeals pursuant

to a docket equalization order issued by the Supreme Court of Texas. See TEX. GOV'T CODE § 73.001.

Upon review of the documents before use, the trial court has certified that appellant “waived rt. to appeal guilty on [counts] 1-14 [and] punishment on [count] 14.” See TEX. R. APP. P. 25.2(a)(2). On October 27, 2025, we ordered appellant’s counsel to review the record and determine whether appellant had the right to appeal. Appellant’s counsel has failed to respond to the Order or otherwise that appellant has a right to appeal count fourteen.

The Texas Rules of Appellate Procedure provide that an appeal must be dismissed if the trial court’s certification does not show that the defendant has the right of appeal. See *id.* R. 25.2(d), 37.1, and 44.3. Accordingly, this case is dismissed for want of jurisdiction.

Finally, we note appellant’s appeal of counts one through thirteen is still pending before the Court in cause number 13-25-00531-CR. L. ARON PEÑA JR. Justice Do not publish. TEX. R. APP. P. 47.2(b). Delivered and filed on the 5th day of February, 2026. 2