

COURT OF APPEALS FOR THE NINTH DISTRICT OF TEXAS AT BEAUMONT

Shawn Gollihugh v. The State of Texas

No. 09-25-00399-CR · No. 09-25-00399-CR · Decided November 26, 2025

SUMMARY

The Ninth Court of Appeals of Texas dismissed Shawn Gollihugh’s appeal in Trial Cause Number 23-06-09471 because the trial court had dismissed that cause number and had not convicted or sentenced him in it. The court cited Texas Rule of Appellate Procedure 43.2(f) and noted that Gollihugh’s appeals in two other cause numbers remained pending.

CASE DETAILS

COURT	Court of Appeals for the Ninth District of Texas at Beaumont
WRITING FOR THE COURT	Per Curiam; Golemon, C.J.; Johnson, J.; Wright, J.
JURISDICTION	Court of Appeals for the Ninth District of Texas at Beaumont
DECIDED	November 26, 2025
DOCKET	09-25-00399-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Gollihugh appealed in a criminal matter after filing a notice of appeal identifying three trial cause numbers. The court questioned its jurisdiction over Trial Cause Number 23-06-09471 and dismissed that appeal.
PRECEDENTIAL VALUE	Nonprecedential; memorandum opinion marked Do Not Publish
PARTIES	Shawn Gollihugh v. The State of Texas

TOPICS

- appellate jurisdiction
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- appellate jurisdiction

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal from a trial cause that had been dismissed without a conviction or sentence.

2. Whether the appeal should be dismissed after the appellant failed to timely respond to the court's jurisdictional notice.

HOLDINGS

1. Because the trial court dismissed Trial Cause Number 23-06-09471 and did not convict or sentence Gollihugh in that cause, the court of appeals lacked a basis to continue the appeal and dismissed it.

KEY QUOTATIONS

“Accordingly, we dismiss the appeal in Trial Cause Number 23-06-09471.” (1)

FACTUAL BACKGROUND

Gollihugh filed a notice of appeal identifying three trial cause numbers. In Trial Cause Number 23-06-09471, the trial court dismissed the case on the State's motion and did not convict or sentence him. The court of appeals received no timely response to its notice questioning jurisdiction and warning of dismissal.

PROCEDURAL HISTORY

The appeal arose from the 435th District Court of Montgomery County, Texas. The trial court dismissed Trial Cause Number 23-06-09471 on the State's motion and did not convict or sentence Gollihugh in that cause. The Court of Appeals issued a jurisdictional notice and warned that the appeal would be dismissed absent a timely showing of grounds to continue; no timely response was received.

DISPOSITION

dismissed

OPINION

PER CURIAM.

In The Court of Appeals Ninth District of Texas at Beaumont _____ NO. 09-25-00399-CR _____ SHAWN GOLLIHUGH, Appellant V. THE STATE OF TEXAS, Appellee _____ On Appeal from the 435th District Court Montgomery County, Texas Trial Cause No. 23-06-09471

MEMORANDUM OPINION Shawn Gollihugh filed a notice of appeal that identified three trial cause numbers.

Upon receiving the notice of appeal, this Court issued a notice that questioned our jurisdiction in Trial Cause Number 23-06-09471, and we also warned Gollihugh that the appeal in that matter would be dismissed unless he showed grounds for continuing the appeal.

We did not receive a timely response to our notice. 1 According to the record on appeal, the trial court did not convict and sentence Shawn Gollihugh in Trial Cause Number 23-06-09471 because the trial court dismissed Trial Cause Number 23-06-09471 on the State's motion.

Accordingly, we dismiss the appeal in Trial Cause Number 23-06-09471. See Tex. R. App. P. 43.2(f).1 APPEAL DISMISSED. PER CURIAM Submitted on November 25, 2025 Opinion Delivered November 26, 2025 Do Not Publish Before Golemon, C.J., Johnson and Wright, JJ. 1 Gollihugh was convicted in Trial Cause Numbers 23-06-09469 and 23-06- 09470. Those appeals have been docketed as Appeal Numbers 09-25-00371-CR and 09-25-00372-CR and remain pending.