

COURT OF APPEALS FOR THE THIRTEENTH DISTRICT OF TEXAS

Aaron Pantoja Gonzalez v. the State of Texas

No. 13-25-00518-CR · No. 13-25-00518-CR · Decided January 29, 2026

SUMMARY

The Thirteenth Court of Appeals of Texas dismissed Aaron Pantoja Gonzalez’s attempted appeal for lack of jurisdiction. The court determined that the record did not reveal a final, appealable order concerning his motion for forensic DNA testing.

CASE DETAILS

COURT	Court of Appeals for the Thirteenth District of Texas
WRITING FOR THE COURT	Justice Jenny Cron; Justice Silva; Justice Cron; Justice Fonseca
JURISDICTION	Texas Court of Appeals, Thirteenth District
DECIDED	January 29, 2026
DOCKET	13-25-00518-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant attempted to appeal a ruling or order on a motion for forensic DNA testing. The court dismissed the appeal for lack of jurisdiction because the record did not reveal a final, appealable order.
STANDARD OF REVIEW	The court reviewed the documents before it to determine whether an appealable order existed and whether it had appellate jurisdiction.
PRECEDENTIAL VALUE	unpublished and not designated for publication
PARTIES	Aaron Pantoja Gonzalez v. The State of Texas

TOPICS

- appellate jurisdiction
- final judgment rule
- appellate procedure
- post-conviction relief
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- post-conviction relief
- forensic DNA testing

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an attempted criminal appeal when the record did not reveal a final, appealable order.

2. Whether the appeal should be dismissed for lack of jurisdiction.

HOLDINGS

1. A Texas appellate court generally has jurisdiction over a criminal defendant's appeal only when there is a final judgment of conviction, subject to recognized exceptions; because the record did not reveal an appealable order, the court lacked jurisdiction.
2. The appeal must be dismissed for lack of jurisdiction when no appealable order is shown.

KEY QUOTATIONS

“Our review of the documents before the Court does not reveal an appealable order entered by the trial court within thirty days before the filing of appellant’s notice of appeal.” (at 2)

“Accordingly, this appeal is dismissed for lack of jurisdiction.” (at 2)

FACTUAL BACKGROUND

Gonzalez sought forensic DNA testing in trial-court cause number CR-2652-12-B. He attempted to appeal a ruling or order on that motion, but the appellate record did not reveal a final, appealable order. The clerk notified Gonzalez of the jurisdictional defect twice, and he did not establish the existence of an appealable order.

PROCEDURAL HISTORY

On October 20, 2025, Gonzalez filed a notice of appeal concerning a ruling or order on his motion for forensic DNA testing in trial-court cause number CR-2652-12-B. The appellate clerk twice notified him that there appeared to be no final, appealable order and allowed an opportunity to correct the defect. After reviewing the documents, the court concluded that no appealable order had been entered within thirty days before the notice of appeal and dismissed the appeal for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- Workman v. State, 343 S.W.2d 446, 447 (Tex. Crim. App. 1961)
- McKown v. State, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.)
- Kirk v. State, 942 S.W.2d 624, 625 (Tex. Crim. App. 1997)
- Wright v. State, 969 S.W.2d 588, 589 (Tex. App.—Dallas 1998, no pet.)

OPINION

PER CURIAM.

NUMBER 13-25-00518-CR COURT OF APPEALS THIRTEENTH DISTRICT OF TEXAS
CORPUS CHRISTI — EDINBURG

AARON PANTOJA

GONZALEZ, Appellant, v. THE STATE OF TEXAS, Appellee.
ON APPEAL FROM
THE 93RD DISTRICT COURT OF HIDALGO COUNTY, TEXAS
MEMORANDUM

OPINION Before Justices Silva, Cron, and Fonseca Memorandum Opinion by Justice Cron This cause is before the Court on its own motion.

On October 20, 2025, appellant attempted to appeal a ruling or order on his motion for forensic DNA testing in cause number CR-2652-12-B. That same day, the Clerk of the Court notified appellant that there appears to be no final, appealable order. Appellant was further notified that if the defect is not corrected within thirty days from the date of the letter, the appeal would be dismissed for want of prosecution.

On December 15, 2025, appellant sent correspondence requesting the status of the case. Accordingly, the Clerk of the Court again notified appellant that there appears to be no final, appealable order. Generally, a state appellate court only has jurisdiction to consider an appeal by a criminal defendant where there has been a final judgment of conviction. *Workman v. State*, 343 S.W.2d 446, 447 (Tex.

Crim. App. 1961); *McKown v. State*, 915 S.W.2d 160, 161 (Tex. App.—Fort Worth 1996, no pet.). Exceptions to the general rule include: (1) certain appeals while on deferred adjudication community supervision, *Kirk v. State*, 942 S.W.2d 624, 625 (Tex. Crim. App. 1997); (2) appeals from the denial of a motion to reduce bond, TEX. R. APP. P. 31.1; *McKown*, 915 S.W.2d at 161; and (3) certain appeals from the denial of habeas corpus relief, *Wright v. State*, 969 S.W.2d 588, 589 (Tex.

App.—Dallas 1998, no pet.); *McKown*, 915 S.W.2d at 161. Our review of the documents before the Court does not reveal an appealable order entered by the trial court within thirty days before the filing of appellant's notice of appeal.

The Court, having examined and fully considered the notice of appeal, is of the opinion that there is not an appealable order, and this Court lacks jurisdiction over the matters herein. Accordingly, this appeal is dismissed for lack of jurisdiction. JENNY CRON Justice Do not publish. Tex. R. App. P. 47.2(b). Delivered and filed on the 29th day of January, 2026.