

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PRECEDENTIAL VALUE	unpublished and not designated for publication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.)