

**COURT OF APPEALS FOR THE SECOND APPELLATE DISTRICT OF TEXAS
AT FORT WORTH**

Ex parte Rajat Kumar v. the State of Texas

No. 02-26-00091-CR · No. No. 02-26-00091-CR · Decided June 4, 2026

SUMMARY

The Texas Second Court of Appeals dismissed the appeal for lack of jurisdiction because the trial court had not signed a written order on the appellant's habeas application. The court held that a certificate of proceedings was not an appealable order and that the appellant failed to respond to the court's jurisdictional concerns.

OPINION

Ex Parte Rajat Kumar v. the State of Texas

PER CURIAM.

In the Court of Appeals Second Appellate District of Texas at Fort Worth
_____ No. 02-26-00091-CR _____

EX PARTE RAJAT KUMAR

On Appeal from Criminal District Court No. 4 Tarrant County, Texas Trial Court No. 1908320
Before Wallach, J.; Sudderth, C.J.; and Walker, J. Per Curiam Memorandum Opinion

MEMORANDUM OPINION

On March 19, 2026, we notified Appellant of our concern that we lacked jurisdiction over this appeal because the trial court had not signed any written order on his application for habeas relief. See *State v. Wachtendorf*, 475 S.W.3d 895, 904 (Tex. Crim. App. 2015); *Ex parte Wiley*, 949 S.W.2d 3, 4 (Tex. App.—Fort Worth Dec. 5, 1996, no pet.); see also *Ex parte Salim*, Nos. 02-19-00009-CR, 02-19-00010-CR, 2019 WL 490516, at *1 (Tex. App.—Fort Worth Feb. 7, 2019, no pet.) (mem. op., not designated for publication). We notified him that unless he or another party filed a response showing grounds for continuing the appeal, we could dismiss it for want of jurisdiction. In response, Appellant submitted a certificate of proceedings from the trial court. However, “this court has previously rejected urgings to treat certificates of proceedings as appealable orders.” *Shields v. State*, Nos. 02-21-00022-CR, 02-21-00023-CR, 02-21-00024-CR, 02-21-00025-CR, 02-21-00026-CR, 02-21-00027-CR, 02-21-00043-CR, 2021 WL 2460858, at *1 (Tex. App.—Fort Worth June 17, 2021, no pet.) (mem. op., not designated for publication) (citing cases). We notified Appellant that we remained concerned that this court lacked jurisdiction over his appeal, and we cautioned him that we could dismiss the appeal unless he or another party filed a response by April 17, 2026, showing grounds to continue the appeal. We have not received a response. 2 Because Appellant

has not filed a response showing that the trial court has signed an appealable written order or otherwise showing grounds for continuing the appeal, we dismiss this appeal for lack of jurisdiction. See Shields, 2021 WL 2460858, at *1; Wiley, 949 S.W.2d at 4.

Per Curiam Do Not Publish Tex. R. App. P. 47.2(b) Delivered: June 4, 2026 3

Retrieved from lawtools.ai · <https://lawtools.ai/cases/state/texas-court-of-appeals-second-appellate-district-fort-worth-court-of-appeals-for-the-second-appellat/2026/ex-parte-rajat-kumar-v-the-state-of-texas-vt2e2vy0>