

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.

CASE DETAILS

COURT	Court of Appeals for the Second Appellate District of Texas at Fort Worth
WRITING FOR THE COURT	Wallach, J.; Sudderth, C.J.; Walker, J.
JURISDICTION	Texas Court of Appeals, Second Appellate District, Fort Worth
DECIDED	June 4, 2026
DOCKET	No. 02-26-00091-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from the denial or disposition of an application for habeas relief in which the trial court had not signed a written order.
STANDARD OF REVIEW	The court independently determined whether it had appellate jurisdiction.
PRECEDENTIAL VALUE	Nonprecedential memorandum opinion; designated Do Not Publish.
PARTIES	Rajat Kumar v. the State of Texas

TOPICS

- appellate jurisdiction
- habeas corpus
- appellate procedure
- post-conviction relief

PRACTICE AREAS

- criminal procedure
- habeas corpus
- appellate jurisdiction

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal from a habeas proceeding when the trial court had not signed a written order.
2. Whether a certificate of proceedings could be treated as an appealable order.

HOLDINGS

1. The court of appeals lacked jurisdiction because the trial court had not signed an appealable written order on the habeas application.
2. A certificate of proceedings is not an appealable order and cannot supply appellate jurisdiction.

KEY QUOTATIONS

“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.” (at 2)

FACTUAL BACKGROUND

Rajat Kumar sought habeas relief in the trial court. The trial court had not signed a written order on the application. In response to the appellate court's jurisdictional notice, Kumar submitted a certificate of proceedings but did not establish that an appealable written order existed.

PROCEDURAL HISTORY

The appeal arose from an application for habeas relief in Tarrant County Criminal District Court No. 4. The court of appeals notified Appellant that it appeared to lack jurisdiction because no written order had been signed by the trial court. Appellant submitted a certificate of proceedings, but did not respond to the court's continued jurisdictional concern or show that an appealable written order existed. The court dismissed the appeal for lack of jurisdiction.

DISPOSITION

dismissed

CASES CITED

- 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.)
- 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)
- 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)

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