Fourth Court of Appeals
San Antonio, Texas

February 21, 2017

No. 04-16-00524-CR

Steven Phillip **CHERRY**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 226th Judicial District Court, Bexar County, Texas
Trial Court No. 2015CR6408
Honorable Sid L. Harle, Judge Presiding

O R D E R

The panel has considered Appellant's pro se motion for rehearing; the motion is DENIED.[1] *See* TEX. R. APP. P. 49.3.

Patricia O. Alvarez, Justice

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 21st day of February, 2017.

Keith E. Hottle
Clerk of Court

[1] Appellant may file an application for writ of habeas corpus for permission to pursue an out-of-time appeal. *See* TEX. CODE CRIM. PROC. ANN. art. 11.07 (West 2015); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991) (stating that an out-of-time appeal from a final felony conviction may be sought by filing a writ of habeas corpus pursuant to article 11.07 of the Texas Code of Criminal Procedure).