

**Phillips v. State**

A justice court held a hearing to determine the ownership of two trucks seized by the state because they had altered identification markings. The court ordered that the trucks be returned to Phillips. The State appealed and the county court reversed, awarding the trucks to the State. The court later reduced its decision to written judgment. Nineteen days after the written judgment was entered, Phillips filed an appeal.

The court of appeals determined that it lacked jurisdiction to consider the case because the appeal was untimely. The court noted that under Article 47.12(c) of the Code of Criminal Procedure, an oral notice of appeal in this type of case is required at the conclusion of the hearing with an appeal bond to be posted by the end of the next business day. This would mean that Phillips was required to file notice of appeal and post bond no later than the day after the written judgment was entered. While recognizing the apparent harshness of the result, the court held that it was powerless to circumvent the express will of the legislature in enacting the provision.