



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

	§	No. 08-14-00257-CV
	§	Appeal from
IN THE INTEREST OF Z.M.H.,	§	65th District Court
A CHILD	§	of El Paso County, Texas
	§	(TC # 2012DCM02211)
	§	

MEMORANDUM OPINION

This appeal is before the Court to determine whether it should be dismissed for want of jurisdiction. Finding that Appellant did not timely file the notice of appeal, we dismiss the appeal for want of jurisdiction.

A civil appeal is perfected when the notice of appeal is timely filed. TEX.R.APP.P. 25.1, 26.1; *see Restrepo v. First National Bank of Dona Ana County, N.M.*, 892 S.W.2d 237, 238 (Tex.App.--El Paso 1995, no writ). If the notice of appeal is untimely, the appellate court lacks jurisdiction and must dismiss the case. *See Charette v. Fitzgerald*, 213 S.W.3d 505, 509 (Tex.App.--Houston [14th Dist.] 2006, no pet.). On July 25, 2014, the trial court entered an order terminating Appellant's parental rights. By statute and by rule, this is an accelerated appeal. TEX.FAM.CODE ANN. § 109.002(a)(West 2014); TEX.R.APP.P. 28.4(a)(2). In an accelerated appeal, the notice of appeal must be filed within twenty days after the judgment or

order is signed. TEX.R.APP.P. 26.1(b). Appellant's notice of appeal was due to have been filed not later than August 14, 2014, but he did not file it until September 4, 2014. An appellate court may extend the time in which to file the notice of appeal provided it is filed with the trial court clerk within fifteen days after the deadline for filing the notice of appeal and a motion for extension of time if filed in the appellate court. *See* TEX.R.APP.P. 26.3. The notice of appeal was filed more than fifteen days after the deadline for filing it. Because Appellant's notice of appeal was not filed by the due date or within fifteen days of the due date, we do not have jurisdiction of this appeal. The appeal is dismissed for lack of jurisdiction.

October 8, 2014

ANN CRAWFORD McCLURE, Chief Justice

Before McClure, C.J., Rivera, and Rodriguez, JJ.
(Rivera, J., not participating)