

Dismissed and Memorandum Opinion filed October 20, 2016



In The

Fourteenth Court of Appeals

NO. 14-16-00756-CR

DONTE JAMAL VALENTINE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 1387799**

M E M O R A N D U M O P I N I O N

Appellant entered a plea of guilty to aggravated robbery without an agreed recommendation as to punishment. On February 13, 2014, the trial court deferred a finding of guilt, placed appellant on community supervision for five years, and assessed a \$200 fine. The State subsequently moved to adjudicate appellant's guilt. On May 25, 2016, the trial court sentenced appellant to confinement for 20 years.

A timely motion for new trial was filed. Appellant's notice of appeal was not filed until September 12, 2016.

A defendant's notice of appeal must be filed within 90 days after sentence is imposed if the defendant timely files a motion for new trial. *See* Tex. R. App. P. 26.2(a)(2). A notice of appeal that complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Jamison, McCally, and Wise.
Do Not Publish — Tex. R. App. P. 47.2(b).