

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00235-CR

RODERICK DEWAYNE McKINNEY, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 10-08731

MEMORANDUM OPINION

Roderick Dewayne McKinney appealed from a sentence pronounced on February 28, 2011. The notice of appeal was filed with the trial court on May 11, 2011, more than thirty days from the date of sentencing and outside the time for requesting an extension of time for filing the notice of appeal. We notified the parties that the notice of appeal did not appear to have been timely filed. We received no response.

The Court finds that the notice of appeal was not timely filed. *See* Tex. R. App. P. 26.2. No motion for extension of time was timely filed pursuant to Tex. R. App. P. 26.3. It does not appear that appellant obtained an out-of-time appeal from the Court of

Criminal Appeals. The Court finds it is without jurisdiction to entertain this appeal. Accordingly, the appeal is dismissed for want of jurisdiction.

APPEAL DISMISSED.

DAVID GAULTNEY
Justice

Opinion Delivered June 29, 2011
Do Not Publish

Before McKeithen, C.J., Gaultney and Horton, JJ.