

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00376-CV

SHARIQ MASOOD KHAN, Appellant

V.

BROOKE ERIN KHAN, Appellee

On Appeal from the County Court at Law No. 3
Montgomery County, Texas
Trial Cause No. 16-05-05774-CV

MEMORANDUM OPINION

On October 13, 2016, we notified the parties that the notice of appeal did not appear to have been timely filed. The appellant did not file a response. The trial court signed the judgment on June 9, 2016, and the appellate timetables were extended by the timely filing of a motion for new trial. *See* Tex. R. App. P. 26.1(a). Notice of appeal was due to be filed on September 7, 2016.

Appellant filed a notice of appeal on September 30, 2016, more than ninety days from the date of judgment and outside the period for which we may grant an extension of time to perfect appeal. *See* Tex. R. App. P. 26.3. This Court lacks

jurisdiction over this appeal. Accordingly, we dismiss the appeal for lack of jurisdiction.

APPEAL DISMISSED.

LEANNE JOHNSON
Justice

Submitted on November 16, 2016
Opinion Delivered November 17, 2016

Before McKeithen, C.J., Kreger and Johnson, JJ.