



IN THE
TENTH COURT OF APPEALS

No. 10-11-00036-CR

DAMOND JAVAR CASTLE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 85th District Court
Brazos County, Texas
Trial Court No. 08-05436-CRF-85

MEMORANDUM OPINION

Damond Javar Castle filed a notice of appeal regarding his April 15, 2010 conviction for aggravated kidnapping. TEX. PENAL CODE ANN. 20.04 (Vernon 2003). By letter dated February 15, 2011, the Clerk of this Court notified Castle that the appeal was subject to dismissal because it appeared that the notice of appeal was untimely. *See* TEX. R. APP. P. 26.2(a)(1). The Clerk also warned Castle that the appeal would be dismissed unless, within 21 days of the date of this letter, a response was filed showing grounds for continuing the appeal. *See* TEX. R. APP. P. 44.3.

This Court received notice that Castle timely filed a notice of appeal on May 10, 2010. At that time, this Court assigned Cause No. 10-10-00234-CR to the appeal. That appeal was transferred to the Eleventh Court of Appeals in Eastland, Texas. Therefore, the record from that cause number is no longer before this Court.

On February 8, 2011, Castle filed a pro se notice of appeal in this Court for his conviction that is pending on appeal in the Eleventh Court of Appeals. This Court does not have jurisdiction to consider the appeal.

Accordingly, this appeal is dismissed.

AL SCOGGINS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed March 2, 2011
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[CRPM]