



IN THE
TENTH COURT OF APPEALS

No. 10-17-00089-CR

MICHAEL TAPIA,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 19th District Court
McLennan County, Texas
Trial Court No. 2015-74-C1

MEMORANDUM OPINION

Michael Tapia appeals the trial court's judgment of conviction which was signed on July 26, 2016. Tapia was required to file a notice of appeal within 30 days of the date he was sentenced in open court.¹ See TEX. R. APP. P. 26.2(a)(1). His notice of appeal filed here on March 17, 2017 is untimely. We have no jurisdiction of an untimely appeal, and

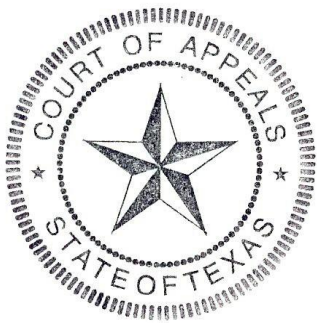
¹ Tapia asserts in his notice of appeal that his trial counsel filed a notice of appeal with this Court in August of 2016. We have no record of a notice of appeal filed on behalf of Tapia.

this appeal must be dismissed. *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996)
(no appellate jurisdiction where notice of appeal is untimely).

Accordingly, this appeal is dismissed.²

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed March 22, 2017
Do not publish
[CR25]



² A motion for rehearing may be filed within 15 days after the judgment of this Court is rendered. *See* TEX. R. APP. P. 49.1. If the appellant desires to have the decision of this Court reviewed by filing a petition for discretionary review, that petition must be filed with the Court of Criminal Appeals within 30 days after either the day this Court's judgment was rendered or the day the last timely motion for rehearing was overruled by this Court. *See* TEX. R. APP. P. 68.2(a).