

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00134-CR

Kenneth Anthony Hopple, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF BASTROP COUNTY, 21ST JUDICIAL DISTRICT
NO. 9686, HONORABLE H. R. TOWSLEE, JUDGE PRESIDING**

Kenneth Anthony Hopple pleaded guilty to two counts of indecency with a child by contact. *See* Tex. Pen. Code Ann. § 21.11 (West Supp. 2002). On July 12, 2001, the district court sentenced him to fifteen years' imprisonment. The time for perfecting appeal expired on August 13, 2001. Tex. R. App. P. 26.2(a)(1).

On December 18, 2001, Hopple filed a pro se motion for out-of-time appeal. Under the circumstances, we lack jurisdiction to dispose of the purported appeal in any manner other than by dismissing it for want of jurisdiction. *See Slaton v. State*, 981 S.W.2d 208 (Tex. Crim. App. 1998); *Olivo v. State*, 918 S.W.2d 519, 522-23 (Tex. Crim. App. 1996). The proper procedure for obtaining an out-of-time appeal is a post-conviction writ of habeas corpus. *See* Tex. Code Crim. Proc. Ann. art. 11.07 (West Supp. 2002).

The appeal is dismissed.

Lee Yeakel, Justice

Before Chief Justice Aboussie, Justices B. A. Smith and Yeakel

Dismissed for Want of Jurisdiction

Filed: March 21, 2002

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