

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00496-CR

Luis Ramirez Montoya, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF HAYS COUNTY, 22ND JUDICIAL DISTRICT
NO. CR-01-409, HONORABLE CHARLES RAMSAY, JUDGE PRESIDING**

Luis Ramirez Montoya seeks to appeal from a judgment of conviction for aggravated sexual assault of a child. Sentence was imposed on June 19, 2002. There was no motion for new trial. The deadline for perfecting appeal was therefore July 19, 2002. Tex. R. App. P. 26.2(a)(1). Notice of appeal was filed on July 29, 2002. No extension of time for filing notice of appeal was requested. Tex. R. App. P. 26.3. There is no indication that notice of appeal was properly mailed to the district clerk within the time prescribed by rule 26.2(a). Tex. R. App. P. 9.2(b). 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 appeal is dismissed.

Bea Ann Smith, Justice

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

Dismissed for Want of Jurisdiction

Filed: August 30, 2002

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