

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00535-CR

Ty Johnston, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF CALDWELL COUNTY, 274TH JUDICIAL DISTRICT
NO. 2001-185, HONORABLE JACK H. ROBISON, JUDGE PRESIDING**

Ty Johnston seeks to appeal from a judgment of conviction for injury to a child. Sentence was imposed on July 18, 2002. There was no motion for new trial. The deadline for perfecting appeal was therefore August 19, 2002. Tex. R. App. P. 26.2(a)(1). Notice of appeal was filed on August 29. 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.

Jan P. Patterson, Justice

Before Chief Justice Aboussie, Justices Patterson and Puryear

Dismissed for Want of Jurisdiction

Filed: September 19, 2002

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