

Opinion filed October 31, 2013



In The

# **Eleventh Court of Appeals**

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**Nos. 11-13-00273-CR & 11-13-00274-CR**

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**KEITH DEWAYNE MARTIN, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 35th District Court**

**Brown County, Texas**

**Trial Court Cause Nos. CR21869 & CR21898**

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## **MEMORANDUM OPINION**

Keith Dewayne Martin, Appellant, filed an untimely pro se notice of appeal from his convictions for the offenses of engaging in organized criminal activity and possession of a controlled substance with intent to deliver. We dismiss the appeals.

The documents on file in these cases indicate that Appellant's sentences were imposed on February 4, 2013, and that his pro se notice of appeal was filed in the district clerk's office on August 19, 2013. When the appeals were filed in this court, we notified Appellant by letter that the notice of appeal appeared to be untimely. We requested that Appellant respond on or before September 30, 2013, and show grounds to continue these appeals. We also informed him that the appeals may be dismissed for want of jurisdiction. Appellant has not responded.

Pursuant to TEX. R. APP. P. 26.2, Appellant's notice of appeal in each case was due to be filed within thirty days after the date that his sentence was imposed in open court. A notice of appeal must be in writing and filed with the clerk of the trial court. TEX. R. APP. P. 25.2(c)(1). The documents on file in this court reflect that Appellant's notice of appeal was filed with the clerk of the trial court 196 days after his sentences were imposed. The notice of appeal was, therefore, untimely. Absent a timely filed notice of appeal or the granting of a timely motion for extension of time, we do not have jurisdiction to entertain these appeals. *Slaton v. State*, 981 S.W.2d 208 (Tex. Crim. App. 1998); *Olivo v. State*, 918 S.W.2d 519 (Tex. Crim. App. 1996); *Rodarte v. State*, 860 S.W.2d 108 (Tex. Crim. App. 1993). Because we have no jurisdiction, we must dismiss the appeals.

These appeals are dismissed for want of jurisdiction.

PER CURIAM

October 31, 2013

Do not publish. See TEX. R. APP. P. 47.2(b).

Panel consists of: Wright, C.J.,  
McCall, J., and Willson, J.