

Opinion filed August 3, 2017



In The
Eleventh Court of Appeals

No. 11-17-00195-CR

CARL LOPEZ ANCHONDO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 50th District Court
Knox County, Texas
Trial Court Cause No. 3493**

MEMORANDUM OPINION

Carl Lopez Anchondo, Appellant, has filed an untimely notice of appeal in this cause. Appellant attempts to appeal his conviction for the offense of aggravated sexual assault of a child. We dismiss the appeal.

The documents on file in this case indicate that Appellant's sentence was imposed on June 7, 1993, and that his notice of appeal was filed in the district clerk's office on July 17, 2017. Pursuant to TEX. R. APP. P. 26.2(a), a notice of appeal is

due to be filed either (1) within thirty days after the date that sentence is imposed in open court or (2) if the defendant timely files a motion for new trial, within ninety days after the date that sentence is 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 more than twenty-four years after Appellant's sentence was 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 this appeal. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998); *Olivo v. State*, 918 S.W.2d 519, 522–23 (Tex. Crim. App. 1996); *Rodarte v. State*, 860 S.W.2d 108, 110 (Tex. Crim. App. 1993).

When the appeal was filed in this court, we notified Appellant by letter that the notice of appeal appeared to be untimely and that the appeal may be dismissed. We requested that Appellant respond to our letter and show grounds to continue. Appellant filed a response in which he asserts that his appeal was brought in good faith and in which he presents three substantive grounds as good cause to continue this appeal. We have considered Appellant's response; however, we are without authority to proceed with this appeal. *See Slaton*, 981 S.W.2d at 210.

Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

August 3, 2017

Do not publish.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

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