

Opinion filed March 8, 2018



In The

# Eleventh Court of Appeals

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Nos. 11-18-00011-CR, 11-18-00012-CR, & 11-18-00013-CR

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**MARCUS DWIGHT BOOTH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 385th District Court  
Midland County, Texas  
Trial Court Cause Nos. CR42435, CR42436, & CR42437**

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## **MEMORANDUM OPINION**

Marcus Dwight Booth, Appellant, filed an untimely pro se notice of appeal from his convictions for the offenses of possession of a controlled substance, tampering with physical evidence, and assault on a public servant. We dismiss the appeals.

The documents on file in these cases indicate that Appellant's sentences were imposed on July 14, 2014, and that his pro se notice of appeal was filed in the district

clerk's office on January 8, 2018. When the appeals were filed in this court, we notified Appellant by letter that the notice of appeal appeared to be untimely and that the appeals may be dismissed for want of jurisdiction. We requested that Appellant respond to our letter and show grounds to continue these appeals. Appellant has not filed a response.

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 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 more than three years 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

March 8, 2018

Do not publish.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

Panel consists of: Willson, J.,  
Bailey, J., and Wright, S.C.J.<sup>1</sup>

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<sup>1</sup>Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.