

Opinion filed November 29, 2018



In The  
**Eleventh Court of Appeals**

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**Nos. 11-18-00242-CR, 11-18-00243-CR,  
11-18-00244-CR, & 11-18-00245-CR**

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**RICHARD DAVID MACK, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 266th District Court  
Erath County, Texas  
Trial Court Cause Nos. CR 12376, CR 12377, CR 12378, & CR 12379**

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**MEMORANDUM OPINION**

Richard David Mack, Appellant, filed an untimely pro se notice of appeal from his convictions for the offenses of capital murder, for which he was sentenced to confinement for life. We dismiss the appeals.

The documents on file in these appeals indicate that Appellant's sentences were imposed in 2006, and that his pro se notice of appeal was filed in the district clerk's office on September 13, 2018. When the appeals were filed in this court, we

notified Appellant by letter that his notice of appeal appeared to be untimely and that these 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 showing any grounds upon which these appeals may proceed.

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 twelve 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).

Appellant has requested that this court appoint counsel for him in these appeals. We note that this court has no authority to appoint counsel and that, because the notice of appeal was untimely, we must dismiss the appeals.

These appeals are dismissed for want of jurisdiction.

November 29, 2018

PER CURIAM

Do not publish.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

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

Willson, J., not participating.

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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.