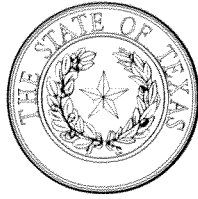


DISMISS: Opinion filed November 30, 2012



In The  
**Court of Appeals**  
**Fifth District of Texas at Dallas**

---

No. 05-12-01254-CV

---

JAMES GLEN HELM, JR., Appellant

V.

THE ATTORNEY GENERAL OF TEXAS, Appellee

---

---

On Appeal from the 303rd Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. DF-97-09259

---

---

**MEMORANDUM OPINION**

Before Justices Richter, Lang-Miers, and Myers  
Opinion By Justice Lang-Miers

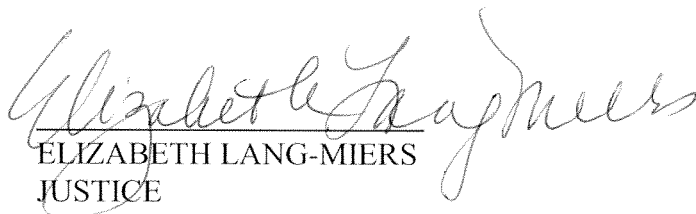
By letter dated October 24, 2012, the Court notified appellant that his notice of appeal was untimely. We informed appellant that his notice of appeal was filed within the fifteen-day grace period and that he could remedy the problem by filing and extension motion within ten days. *See* TEX. R. APP. P. 26.3. As of today's date, appellant has not filed a motion for an extension of time to file a notice of appeal.

If no post-judgment motion extending the appellate timetable is filed, a notice of appeal is due thirty days after the date the judgment is signed. *See* TEX. R. APP. P. 26.1. Without a timely filed notice of appeal, this Court lacks jurisdiction. *See* TEX. R. APP. P. 25.1(b).

Appellant is appealing a judgment signed on July 17, 2012. Appellant did not file any post-

judgment motion that extended the appellate timetable. Accordingly, the notice of appeal was due on August 16, 2012. *See* TEX. R. APP. P. 26.1. Appellant filed his notice of appeal on August 17, 2012.

Because appellant did not timely file his notice of appeal, this Court lacks jurisdiction. We dismiss the appeal. *See* TEX. R. APP. P. 42.3(a).

  
ELIZABETH LANG-MIERS  
JUSTICE

121254F.P05



**Court of Appeals  
Fifth District of Texas at Dallas**

**JUDGMENT**

JAMES GLEN HELM, JR., Appellant

No. 05-12-01254-CV            V.

THE ATTORNEY GENERAL OF TEXAS,  
Appellee

Appeal from the 303rd Judicial District Court  
of Dallas County, Texas. (Tr.Ct.No. DF-97-  
09259).

Opinion delivered by Justice Lang-Miers,  
Justices Richter and Myers, participating.

Based on the Court's opinion of this date, the appeal is **DISMISSED**.

It is **ORDERED** that appellee, the Attorney General of Texas, recover its costs of the appeal  
from appellant, James Glen Helm, Jr.

Judgment entered November 30, 2012.

  
ELIZABETH LANG-MIERS  
JUSTICE