

Dismissed and Opinion Filed July 20, 2016



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

No. 05-15-01383-CR

**JAVONTA MCCHEL WILLIAMS, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 203rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F14-75534-P**

MEMORANDUM OPINION

**Before Chief Justice Wright, Justice Myers, and Justice Brown
Opinion by Chief Justice Wright**

Javonta Mchchel Williams was charged with aggravated assault, family violence, with a deadly weapon by shooting the complainant with whom he had a dating relationship. After finding him guilty as charged, the jury assessed punishment at life in prison.

Judgment was entered October 22, 2015, and appellant filed a timely notice of appeal. In January 2016, when no reporter's record had been filed, this Court abated the case and ordered the trial court to determine whether appellant desired to prosecute the appeal and if so, why the reporter's record had not been filed. Shortly thereafter, appellant filed a letter informing the Court that he had timely filed a motion for new trial which had been granted as to punishment only.

By order dated February 2, 2016, we reinstated the case and ordered appellant to file either a motion to dismiss or a motion to abate the appeal until appellant had been sentenced following his new punishment hearing. In response, appellant filed a motion to abate and asked us to remand the case to the trial court for the new punishment hearing, stating he did so “to conserve judicial resources and to properly expedite the orderly progression of this appeal.” We granted the motion in part by giving the trial court sixty days in which to complete a new punishment hearing. We ordered appellant to file either a motion to reinstate the appeal or written verification that the punishment hearing had not been completed by the end of the sixty-day period. In April and in May, appellant filed status letters informing the Court that “the parties are still in plea negotiations.” By letter dated May 19, 2016, we directed appellant to file either a motion to reinstate or a motion to dismiss by June 13, 2016. We cautioned appellant no further extensions would be granted and that his failure to file a motion would result in the case being reinstated and dismissed without further notice. To date, no motion has been received by the Court.

On the Court’s own motion, we **REINSTATE** this appeal. Because no sentence has been imposed, we lack jurisdiction. *See* TEX. R. APP. P. 26.2(a) (notice of appeal must be filed after sentence imposed).

We **DISMISS** the appeal.

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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TEX. R. APP. P. 47
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

JAVONTA MCCHEL WILLIAMS,
Appellant

No. 05-15-01383-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 203rd Judicial District
Court, Dallas County, Texas
Trial Court Cause No. F14-75534-P.
Opinion delivered by Chief Justice Wright,
Justices Myers and Brown participating.

Based on the Court's opinion of this date, we **DISMISS** this appeal.

Judgment entered July 20, 2016.