

Dismissed and Opinion Filed February 17, 2017



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-01497-CR

No. 05-16-01498-CR

AUSTIN SPENCER HARRIS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 282nd Judicial District Court
Dallas County, Texas
Trial Court Cause Nos. F09-16223-S & F09-16224-S

MEMORANDUM OPINION

Before Justices Bridges, Myers, and Brown
Opinion by Justice Bridges

Austin Spencer Harris appeals his convictions for aggravated sexual assault of a child younger than fourteen years of age. Because he failed to file a timely notice of appeal in each case, we dismiss.

In 2010, after appellant pleaded guilty pursuant to plea agreements with the State, the trial court placed him on deferred adjudication probation for ten years in each case. The State subsequently filed motions to proceed with an adjudication of guilt, alleging appellant violated several conditions of his probation.

Appellant pleaded true to the allegations in the State's motions to adjudicate. On July 6, 2016, the trial court found appellant guilty and assessed punishment at fifteen years in prison in each case. Absent a timely motion for new trial, appellant's notices of appeal were due August

5, 2016. *See* TEX. R. APP. P. 26.2(a)(1). Appellant filed his notices of appeal in the trial court on November 21, 2016, outside the thirty-day period allowed by rule 26.2. Because his notices of appeal were untimely, we conclude we lack jurisdiction.

We dismiss these appeals.

Do Not Publish
TEX. R. APP. P. 47.2
161497F.U05

/David L. Bridges/
DAVID L. BRIDGES
JUSTICE



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

JUDGMENT

AUSTIN SPENCER HARRIS, Appellant

No. 05-16-01497-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 282nd Judicial District
Court, Dallas County, Texas

Trial Court Cause No. F09-16223-S.

Opinion delivered by Justice Bridges,
Justices Myers and Brown participating.

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

Judgment entered February 17, 2017.



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

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