

DISMISS and Opinion Filed February 12, 2018



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

No. 05-17-01136-CV

**PAVEL GOBERMAN, Appellant
V.
GOVERNOR GREG ABBOTT, Appellee**

**On Appeal from the County Court at Law No. 1
Dallas County, Texas
Trial Court Cause No. CC-17-02823-A**

MEMORANDUM OPINION

Before Chief Justice Wright, Justice Evans, and Justice Brown
Opinion by Chief Justice Wright

The Court questioned its jurisdiction over this appeal because appellant's 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 timeliness problem by filing an extension motion by October 27, 2017. *See* Tex. R. App. P. 26.3. We cautioned appellant that failure to file an extension motion within the time specified would result in dismissal of his appeal without further notice. As of today's date, appellant has not filed an extension motion.

The trial court signed the appealed order on August 11, 2017. Appellant did not file a post-judgment motion extending the appellate deadline. Accordingly, the notice of appeal was due on Monday, September 11, 2017. *See* TEX. R. APP. P. 4.1(a), 26.1. An extension of time may be granted if an appellant files a notice of appeal within fifteen days of the deadline and an extension

motion. *See* TEX. R. APP. P. 26.3. Without a timely filed notice of appeal, this Court lacks jurisdiction. *See* TEX. R. APP. P. 25.1(b).

Appellant filed his notice of appeal on September 22, 2017, eleven days late. Because appellant did not timely file a notice of appeal or obtain an extension of time to file the notice of appeal, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a).

/Carolyn Wright/
CAROLYN WRIGHT
CHIEF JUSTICE

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

JUDGMENT

PAVEL GOBERMAN, Appellant

No. 05-17-01136-CV V.

GOVERNOR GREG ABBOTT, Appellee

On Appeal from the County Court at Law
No. 1, Dallas County, Texas

Trial Court Cause No. CC-17-02823-A.

Opinion delivered by Chief Justice Wright.

Justices Evans and Brown participating.

In accordance with this Court's opinion of this date, the appeal is **DISMISSED**.

Judgment entered February 12, 2018.