

**DISMISS and Opinion Filed March 4, 2022**



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

**No. 05-21-00848-CR  
No. 05-21-00849-CR  
No. 05-21-00850-CR  
No. 05-21-00851-CR  
No. 05-21-00852-CR  
No. 05-21-00853-CR**

**JORDAN DARNELL JACOBS, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court No. 3  
Dallas County, Texas  
Trial Court Cause Nos. F19-25499-J, F19-25554-J, F19-25558-J, F19-25560-J,  
F19-25569-J & F19-25571-J**

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**MEMORANDUM OPINION**

Before Justices Partida-Kipness, Reichel, and Goldstein  
Opinion by Justice Reichel

On August 10, 2021, Jordan Darnell Jacobs pleaded guilty and was convicted of possession of a firearm by a felon and five aggravated robberies, each with a deadly weapon finding. The trial court certified that, although each case was the product of a plea-bargain agreement with the State, the trial court had given appellant permission to appeal, and appellant had the right to appeal the trial court's ruling on his motion to suppress. Appellant filed his notices of appeal on September 16, 2021.

He did not, however, file either a timely motion for new trial or a timely motion to extend time to file his notices of appeal.

Before the Court is the State's February 23, 2022 motion to dismiss these appeals for want of jurisdiction and appellant's February 25, 2022 response. After reviewing these documents, the appellate record, and the case law, we conclude we must dismiss these appeals.

A defendant perfects his appeal by timely filing a written notice of appeal with the trial court clerk. *See* TEX. R. APP. P. 25.2(c). To be timely, the notice of appeal must be filed within thirty days after the date sentence was imposed or within ninety days after sentencing if the defendant timely filed a motion for new trial. *See* TEX. R. APP. P. 26.2(a). The rules of appellate procedure allow the time to file a notice of appeal to be extended if the party files, within fifteen days of the filing deadline, both the notice of appeal and a motion to extend the time to file the notice of appeal. *See* TEX. R. APP. P. 10.5(b), 26.3. In the absence of a timely perfected notice of appeal, the Court must dismiss the appeal. *Ex parte Castillo*, 369 S.W.3d 196, 198 (Tex. Crim. App. 2012); *Slaton v. State*, 981S.W.2d 208, 210 (Tex. Crim. App. 1998).

Here, the trial court entered its judgments on August 10, 2021. Appellant did not file a motion for new trial. Therefore, his notices of appeal were due on September 9, 2021. *See* TEX. R. APP. P. 26.2(a)(1). Any motion to extend the time to file the notices of appeal would have been due on or before September 24, 2021. *See*

*id.* 26.3. Appellant filed his notices of appeal on September 16, 2021 but failed to file any motion to extend time to file the notices of appeal.

Appellant argues there is no way of knowing when he actually signed the notices of appeal. He notes “[i]t is not uncommon that documents filed with a court are file-stamped at a later date. Documents are often misplaced or overlooked, especially during this time of Covid restrictions.” He further contends that it is clear he intended to appeal the ruling on his motion to suppress and notes that the trial court granted him the right to appeal. Even taking these statements as true, we have no alternative than to dismiss. *See Castillo*, 369 S.W.3d at 198 (“Timely filing of a written notice of appeal is a jurisdictional prerequisite to hearing an appeal. If a notice of appeal is not timely filed, the court of appeals has no option but to dismiss the appeal for lack of jurisdiction.”). Appellant may, however, file an application for a writ of habeas corpus in order to pursue out-of-time appeals. *See Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991).

We dismiss these appeals for lack of jurisdiction.

/Amanda L. Reichel/  
AMANDA L. REICHEK  
JUSTICE

Do Not Publish  
TEX. R. APP. P. 47.2(b)  
210848F.U05



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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00848-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25499-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022



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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00849-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25554-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022



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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00850-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25558-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022



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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00851-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25560-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022



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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00852-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25569-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022





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

**JUDGMENT**

JORDAN DARNELL JACOBS,  
Appellant

No. 05-21-00853-CR      V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District  
Court No. 3, Dallas County, Texas  
Trial Court Cause No. F19-25571-J.  
Opinion delivered by Justice  
Reichek. Justices Partida-Kipness  
and Goldstein participating.

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

Judgment entered March 4, 2022