

Opinion issued July 28, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-11-00532-CR

JEFF LYKINS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause No. 1045003**

MEMORANDUM OPINION

Appellant, Jeff Lykins, attempts to appeal his April 15, 2011 conviction for aggravated robbery involving serious bodily injury. Under Texas Rule of Appellate Procedure 26.2(a), a notice of appeal was due on or before Monday, May 16, 2011. *See* TEX. R. APP. P. 26.2(a), 4.1(a). The earliest date that appellant

could be deemed to have filed his notice of appeal is June 6, 2011. In addition, the trial court's certification of Appellant's right to appeal states that this is a plea bargain case and that the defendant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2).

A notice of appeal that complies with the requirements of Rule 26 is essential to vest this court with jurisdiction. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). The court of criminal appeals has expressly held that, without a timely filed notice of appeal or motion for extension of time, we cannot exercise jurisdiction over an appeal. *See Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996); *see also Slaton*, 981 S.W.2d at 210.

Because appellant's notice of appeal was untimely, we have no basis for jurisdiction over this appeal. Accordingly, we dismiss the appeal for want of jurisdiction. *See* TEX. R. APP. P. 25.2(d), 42.3(a), 43.2(f). We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Bland, and Massengale.

Do not publish. TEX. R. APP. P. 47.2(b).