

Opinion issued August 25, 2011.



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-11-00620-CR

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**DOUGLAS FOWLER, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 268th District Court  
Fort Bend County, Texas  
Trial Court Cause No. 09DCR052349**

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**MEMORANDUM OPINION**

Appellant, Douglas Fowler, attempts to appeal his April 6, 2011 order modifying conditions of community supervision. Under Texas Rule of Appellate Procedure 26.2(a), a notice of appeal was due on or before May 6, 2011. *See* TEX. R. APP. P. 26.2(a). Appellant filed his notice of appeal on July 18, 2011. In

addition, we have no trial court certification of Appellant's right to 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 the notice of appeal in this case 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 any pending motions as moot.

**PER CURIAM**

Panel consists of Justices Jennings, Bland, and Massengale.

Do not publish.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