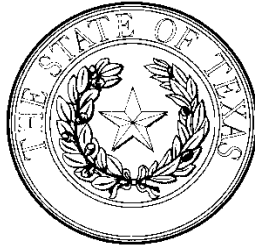


Opinion issued August 28, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00206-CR

LARRY JORDEN, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the 177th District Court
Harris County, Texas
Trial Court Case No. 1504251

MEMORANDUM OPINION

Appellant, Larry Jorden, attempts to appeal his October 4, 2016 conviction for possession of cocaine. Under Texas Rule of Appellate Procedure 26.2(a), a

notice of appeal was due on or before November 3, 2016. *See* TEX. R. APP. P. 26.2(a). Appellant filed his notice of appeal on February 8, 2018.¹

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. 43.2(f); *Slaton*, 981 S.W.2d at 210; *Olivo*, 918 S.W.2d at 523. We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Brown and Caughey.

Do not publish.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

¹ Appellant included an unsworn declaration with his notice of appeal, which reflects that it was executed on February 1, 2018. Nevertheless, even if the notice of appeal was handed to prison officials, and therefore would be considered filed on February 1, 2018, the notice was untimely. *See* TEX. R. APP. P. 9.2(b), 26.2(a); *Campbell v. State*, 320 S.W.3d 338, 342 (Tex. Crim. App. 2010).