

Dismissed and Memorandum Opinion filed February 11, 2010.



In The

**Fourteenth Court of Appeals**

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NO. 14-10-00079-CR

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**REGINALD K. RICKS, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 263rd District Court  
Harris County, Texas  
Trial Court Cause No. 1112841**

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**MEMORANDUM OPINION**

A jury convicted appellant of injury to a child causing serious bodily injury. The trial court sentenced appellant to confinement for fifty years in the Institutional Division of the Texas Department of Criminal Justice on May 1, 2007. Appellant did not file his *pro se* notice of appeal until December 28, 2009.

A defendant's notice of appeal must be filed within thirty days after sentence is imposed when the defendant has not filed a motion for new trial. *See* Tex. R. App. P. 26.2(a)(1). A notice of appeal that complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex.

Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal.<sup>1</sup> *Id.* Because appellant's notice of appeal is untimely, we have no jurisdiction to take any action in this appeal but to dismiss it. *See id.*

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Anderson and Christopher.  
Do Not Publish — Tex. R. App. P. 47.2(b).

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<sup>1</sup> Appellant may pursue an out-of-time appeal by filing an application for writ of habeas corpus returnable to the Court of Criminal Appeals. *See* Tex.Code Crim. Proc. art. 11.07 (Vernon 2005); *Ater v. Eighth Court of Appeals*, 802 S.W.2d 241, 243 (Tex. Crim. App. 1991).