

**Appeal Dismissed and Memorandum Opinion filed February 9, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00821-CR**

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**DENNIS GREER, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 184th District Court  
Harris County, Texas  
Trial Court Cause No. 1472948**

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**M E M O R A N D U M    O P I N I O N**

After a jury trial, appellant was convicted of the offense of tampering with evidence—human corpse and sentenced to seven years' imprisonment on August 12, 2015. No timely motion for new trial was filed. Appellant's notice of appeal was filed on September 14, 2015.

A defendant's notice of appeal must be filed within 30 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). In this case, the notice of appeal was due on September 11, 2015.<sup>1</sup>

A notice of appeal which 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. Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

Accordingly, the appeal is **DISMISSED**.

PER CURIAM

Panel consists of Justices Christopher, McCally, and Busby.  
Do Not Publish — Tex. R. App. P. 47.2(b).

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<sup>1</sup> The Court of Criminal Appeals has not followed *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex.1997), which holds that an extension is implied if a notice of appeal is filed within fifteen days after the deadline. *See Lair v. State*, 321 S.W.3d 158, 159 (Tex. App.—Houston [1st Dist.] 2010, pet ref'd) (noting that *Olivo v. State*, 918 S.W.2d 519, 523 (Tex. Crim. App. 1996) deprives the appellate court of the authority in criminal cases to imply a request for extension and allow a late notice of appeal).