

Dismissed and Memorandum Opinion filed September 19, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00688-CR

DEREK DEWAYNE MILBURN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause No. 1339112**

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

The trial court adjudicated appellant's guilt for manufacture or delivery of a controlled substance and sentenced appellant to confinement for twenty-five years on January 6, 2015. Appellant's notice of appeal was due February 5, 2015, but was not filed until August 11, 2017.

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 Texas Rule of Appellate Procedure 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 ordered dismissed.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Boyce and Jewell.
Do Not Publish — Tex. R. App. P. 47.2(b).