

Dismissed and Memorandum Opinion filed October 26, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00823-CR

ARVIN ALEXIS BARBOZA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 1473073**

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

After an open plea of guilty, appellant was convicted of the offense of aggravated robbery with a deadly weapon and sentenced on August 3, 2017. No timely motion for new trial was filed. Appellant's notice of appeal was not filed until October 3, 2017.

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). 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 Justices Christopher, Brown, and Wise.
Do Not Publish — Tex. R. App. P. 47.2(b).