

**Dismissed and Memorandum Opinion filed October 11, 2022.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-22-00528-CR**

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**CALVIN EARL BASEY SENIOR, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 21st District Court  
Washington County, Texas  
Trial Court Cause No. 18699**

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**MEMORANDUM OPINION**

Appellant was convicted of evading arrest with a vehicle and sentenced to twenty-five year's confinement on December 10, 2021. *See* Tex. Penal Code § 38.04. No timely motion for new trial was filed. Therefore, appellant's notice of appeal was due by January 10, 2022. *See* Tex. R. App. P. 26.2(a)(1).

A court of appeals may grant an extension of time if, within 15 days after the deadline for filing the notice of appeal, the party files (a) the notice of appeal in the trial court, and (b) a motion for extension of time in the court of appeals. *See* Tex.

R. App. P. 26.3; *see also* Tex. R. App. P. 10.5(b)(2) (governing motion for extension of time to file notice of appeal). The fifteenth day after January 10, 2022, was January 25, 2022.

Appellant filed his notice of appeal on July 18, 2022, a date that is not within 15 days of the due date.

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. *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996). When a notice of appeal is not filed within the 15-day period, the court of appeals can take no action other than to dismiss the appeal for lack of jurisdiction. *See id.*

On August 24, 2022, the parties were notified that the appeal would be dismissed for lack of jurisdiction unless a party demonstrated that the court has jurisdiction. No response has been received.

Accordingly, the appeal is dismissed for lack of jurisdiction.

PER CURIAM

Panel consists of Chief Justice Christopher and Justices Wise and Hassan

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