

Appeal Dismissed and Memorandum Opinion filed November 21, 2023



**In The
Fourteenth Court of Appeals**

NO. 14-23-00681-CR

MARK DAMON CHARLOT, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause No. 1715584**

MEMORANDUM OPINION

On November 28, 2022, appellant was sentenced to ten (10) years confinement in the Texas Department of Criminal Justice – Institutional Division after a Presentence Investigation (PSI) Hearing for the offense of continuous violence against the family. Appellant mailed the notice of appeal on March 21, 2023; the notice of appeal was file stamped on September 11, 2023.

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.* On October 4, 2023, the parties were notified that the appeal would be dismissed for lack of jurisdiction unless a party demonstrated that the court has jurisdiction. Appellant's response does not demonstrate this court's jurisdiction.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Hassan, Poissant, and Wilson.

Do Not Publish — Tex. R. App. P. 47.2(b).