

Court Of Appeals
Fourth Court of Appeals District of Texas
San Antonio



MEMORANDUM OPINION

No. 04-08-00406-CR

Shariel **SANCHEZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 227th Judicial District Court, Bexar County, Texas
Trial Court No. 2006-CR-1519
Honorable Philip A. Kazen, Jr., Judge Presiding

PER CURIAM

Sitting: Alma L. López, Chief Justice
Catherine Stone, Justice
Karen Angelini, Justice

Delivered and Filed: August 27, 2008

DISMISSED FOR LACK OF JURISDICTION

Appellant was sentenced on February 4, 2008. No timely motion for new trial having been filed, appellant's notice of appeal was due to be filed no later than March 5, 2008. *See* TEX. R. APP. P. 26.2. The notice of appeal was not filed until June 9, 2008.

On July 22, 2008, we ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. We noted that this court lacks jurisdiction over an appeal of a criminal conviction in the absence of a timely, written notice of appeal. *Olivo v. State*, 918 S.W.2d

519, 522 (Tex. Crim. App. 1996). Appellant did not respond to our order; however, appellant's attorney previously had filed written notice that the attorney could find no right of appeal for appellant pursuant to Rule 25.2(a)(2) of the Texas Rules of Appellate Procedure. Because we lack jurisdiction to consider appellant's untimely appeal, the appeal is dismissed for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH