



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00045-CR

Manuel **ALCOSER** Jr.,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 437th Judicial District Court, Bexar County, Texas
Trial Court No. 2011CR5943
Honorable Lori I. Valenzuela, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Marialyn Barnard, Justice
Rebeca C. Martinez, Justice

Delivered and Filed: March 5, 2013

**DISMISSED FOR LACK OF JURISDICTION;
MOTION FOR LEAVE TO FILE LATE NOTICE OF APPEAL DENIED**

On January 17, 2014, appellant filed a pro se “Motion for Leave to File Late Notice of Appeal.” Because it appeared this court lacked jurisdiction over the appeal, we ordered appellant to show cause no later than February 11, 2014, why this appeal should not be dismissed. Appellant did not respond. However, on February 21, 2014, appellant filed a pro se notice of appeal in which he referenced a September 27, 2012 conviction. Appellant was placed on probation on September 27, 2012. Appellant’s notice of appeal was due to be filed October 29, 2012. TEX. R. APP. P.

26.2(a)(1). A motion for extension of time to file the notice of appeal was due on November 13, 2012. TEX. R. APP. P. 26.3.

Because the district clerk's Certificate of Notice of Appeal indicated appellant is now represented by appointed counsel, Mr. Michael D. Robbins, we issued a second order on February 25, 2014, directing Mr. Robbins to show cause in writing no later than March 10, 2014, why this appeal should not be dismissed for lack of jurisdiction. On February 27, 2014, Mr. Robbins filed a response in which he agreed this court "has no choice but to dismiss this appeal for lack of jurisdiction."

Accordingly, we deny appellant's pro se "Motion for Leave to File Late Notice of Appeal" and dismiss this appeal for lack of jurisdiction.

PER CURIAM

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