



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-14-00096-CR

John Anthony **MONACO**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 144th Judicial District Court, Bexar County, Texas  
Trial Court No. 2010CR12627  
Honorable Angus McGinty, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice

Delivered and Filed: March 19, 2014

DISMISSED FOR WANT OF JURISDICTION

On November 7, 2013, Appellant John Anthony Monaco was sentenced to ten years' confinement in the Texas Department of Criminal Justice—Institutional Division in trial court cause number 2010CR12627. On December 6, 2013, Appellant timely filed a motion for new trial. *See* TEX. R. CIV. P. 329b(a). Appellant's notice of appeal was due not later than February 5, 2014. *See* TEX. R. APP. P. 26.2(a); *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996). Appellant's motion for extension of time to file a notice of appeal was due not later than February 20, 2014. *See* TEX. R. APP. P. 26.3; *Olivo*, 918 S.W.2d at 522. The clerk's record shows

Appellant's notice of appeal was filed on February 7, 2014; it does not show a motion for extension of time to file a notice of appeal was filed. *See* TEX. R. APP. P. 26.3.

On February 20, 2014, we ordered Appellant to show cause in writing by March 3, 2014, why this appeal should not be dismissed for want of jurisdiction. To date, this court has not received any response to our February 20, 2014 order.

Absent a timely-filed, written notice of appeal of a criminal conviction, this court lacks jurisdiction over the appeal. *Olivo*, 918 S.W.2d at 522 (“A timely notice of appeal is necessary to invoke a court of appeals’ jurisdiction.”); *Shute v. State*, 744 S.W.2d 96, 97 (Tex. Crim. App. 1988).

This appeal is dismissed for want of jurisdiction.

PER CURIAM

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