



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00476-CR

Michael **LOPEZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 290th Judicial District Court, Bexar County, Texas
Trial Court No. 2012CR1981
Honorable Melisa Skinner, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice
Santee Bryan Marion, Justice
Marialyn Barnard, Justice

Delivered and Filed: August 13, 2014

DISMISSED FOR LACK OF JURISDICTION

On July 1, 2014, appellant filed an “Out of Time Notice of Appeal,” stating that he intends to appeal his conviction. According to appellant’s notice of appeal, his sentence was imposed on November 4, 2012. Because the notice of appeal in this case appears to not have been timely filed, we lack jurisdiction to entertain the appeal. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998) (holding that if appeal is not timely perfected, court of appeals does not obtain jurisdiction to address merits of appeal, and court may take no action other than to dismiss appeal; court may not suspend rules to alter time for perfecting appeal); *Olivo v. State*, 918 S.W.2d 519,

522 (Tex. Crim. App. 1996); *see also Ater v. Eighth Court of Appeals*, 802 S.W.2d 241 (Tex. Crim. App. 1991) (explaining that writ of habeas corpus pursuant to article 11.07 of the Texas Code of Criminal Procedure governs out-of-time appeals from felony convictions). We therefore ordered appellant to show cause why this appeal should not be dismissed for lack of jurisdiction. No timely response has been filed. We dismiss this appeal for lack of jurisdiction.

PER CURIAM

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