



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-14-00503-CR

Oscar Mario **NAVARRO** Jr.,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 79th Judicial District Court, Jim Wells County, Texas
Trial Court No. 12-07-13541-CR
Honorable Richard C. Terrell, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: July 30, 2014

DISMISSED FOR LACK OF JURISDICTION

The trial court imposed sentence on Oscar Mario Navarro Jr. on September 13, 2013. The deadline for filing a notice of appeal was therefore either October 9, 2013, or December 9, 2013, depending on whether a timely motion for new trial was filed in the trial court. *See* TEX. R. APP. P. 26.2. On July 17, 2014, Navarro filed a notice of appeal in the trial court, which the Jim Wells County District Clerk forwarded to this court.

Because the notice of appeal in this case was not 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 dismiss this appeal for lack of jurisdiction.

PER CURIAM

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