



## Fourth Court of Appeals San Antonio, Texas

### MEMORANDUM OPINION

No. 04-19-00113-CR

Roger SOLIZ,  
Appellant

v.

The STATE of Texas,  
Appellee

From the 175th Judicial District Court, Bexar County, Texas  
Trial Court No. 2009CR0755B  
Honorable Mary D. Roman, Judge Presiding

PER CURIAM

Sitting: Irene Rios, Justice  
Beth Watkins, Justice  
Liza A. Rodriguez, Justice

Delivered and Filed: April 24, 2019

### DISMISSED FOR LACK OF JURISDICTION

Appellant attempts to appeal from an order denying his motion for post-conviction DNA testing. Because the trial court signed the order on January 14, 2019, appellant's notice of appeal was due to be filed on or before February 13, 2019. *See* TEX. R. APP. P. 26.2(a)(1). However, appellant did not file his notice of appeal until February 21, 2019. Furthermore, appellant did not timely file a motion for extension of time to file his notice of appeal. *See id.* R. 26.3.

A timely notice of appeal is necessary to invoke this court's jurisdiction. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998) (holding that if an appeal is not timely

perfected, the court of appeals has no jurisdiction to address the appeal's merits and can take no action other than to dismiss the appeal). We notified appellant that his notice of appeal was untimely and ordered him to show cause why this appeal should not be dismissed for lack of jurisdiction. Appellant filed a response, but it fails to demonstrate this court's jurisdiction over this appeal. Accordingly, we dismiss this appeal for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH