



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

**MEMORANDUM OPINION**

No. 04-19-00295-CR

Luis Manuel **AGUILAR**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 175th Judicial District Court, Bexar County, Texas  
Trial Court No. 2016CR7357W  
Honorable Catherine Torres-Stahl, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Beth Watkins, Justice  
Liza A. Rodriguez, Justice

Delivered and Filed: July 3, 2019

DISMISSED FOR LACK OF JURISDICTION

The trial court imposed sentence in the underlying cause on October 1, 2018. Because appellant did not file a motion for new trial, the deadline for filing his notice of appeal was October 31, 2018. *See id.* R. 26.2(a)(1). A notice of appeal was not filed until May 6, 2019, and appellant did not timely file a motion for extension of time to file the notice of appeal.<sup>1</sup> *See* TEX. R. APP. P. 26.3.

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<sup>1</sup> The clerk's record contains a pro se motion for leave to file a late notice of appeal. However, it was filed May 6, 2019, well beyond the due date of November 15, 2018. *See* TEX. R. APP. P. 26.3 (stating appellate court may extend

By order dated May 13, 2019, appellant was ordered to show cause in writing by June 12, 2019, why we should not dismiss this appeal for want of jurisdiction. *See Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996) (holding that timely notice of appeal is necessary to invoke court of appeals' jurisdiction). Appellant did not respond to our order. Because appellant's notice of appeal was untimely filed, this appeal is dismissed for lack of jurisdiction. *See id.*

PER CURIAM

DO NOT PUBLISH

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time to file notice of appeal if within fifteen days after deadline party files notice of appeal and motion to extend time to file notice of appeal).