



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00770-CR

Stephen **RICHARDSON**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 399th Judicial District Court, Bexar County, Texas
Trial Court No. 2010CR10629
Honorable Juanita A. Vasquez-Gardner, Judge Presiding

PER CURIAM

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

Delivered and Filed: November 27, 2019

DISMISSED FOR WANT OF JURISDICTION

The trial court imposed sentence in this appeal on June 11, 2012. Appellant did not file a motion for new trial. Therefore, the notice of appeal was due by July 11, 2012, or a motion for extension of time to file the notice of appeal was due by July 26, 2012. TEX. R. APP. P. 26.2(a)(1), 26.3. Appellant did not file his notice of appeal until October 24, 2019, approximately seven years and three months after its due date.

Because appellant did not timely file the notice of appeal in this case, we lack jurisdiction to entertain this appeal. *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 does not obtain jurisdiction to address the merits of appeal, and the court may take no action other than to dismiss appeal; an appellate 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).

Accordingly, we dismiss this appeal for lack of jurisdiction.

PER CURIAM

DO NOT PUBLISH