



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

**MEMORANDUM OPINION**

Nos. 04-23-00782-CR, 04-23-00783-CR

Juan Isabel **MARTINEZ**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 218th Judicial District Court, Atascosa County, Texas  
Trial Court Nos. 21-01-0006-CRA, 21-01-0007-CRA  
Honorable Jennifer Dillingham, Judge Presiding

PER CURIAM

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

Delivered and Filed: September 27, 2023

DISMISSED FOR LACK OF JURISDICTION

A timely notice of appeal is necessary to invoke the jurisdiction of a court of appeals. *Taylor v. State*, 424 S.W.3d 39, 43 (Tex. Crim. App. 2014). “A defendant’s notice of appeal is timely if filed within thirty days after the day sentence is imposed or suspended, or within ninety days after sentencing if the defendant timely files a motion for new trial.” *Id.* (citing TEX. R. APP. P. 26.2(a)(1)).

The trial court imposed sentences in the underlying causes on February 27, 2023. Because appellant did not file a motion for new trial, the notice of appeal was due to be filed on March 29,

2023. TEX. R. APP. P. 26.2(a)(1). A motion for extension of time to file the notice of appeal was due on April 13, 2023. TEX. R. APP. P. 26.3. Appellant, however, did not file his notice of appeal until July 31, 2023, and did not file a motion for extension of time to file the notice of appeal. Thus, appellant's notice of appeal is untimely.

On September 13, 2023, we ordered appellant to show cause why these appeals should not be dismissed for lack of jurisdiction. In his response, appellant concedes the notice of appeal is untimely. Further, the response does not establish that we have jurisdiction over these appeals. Accordingly, we dismiss these appeals for lack of jurisdiction.

PER CURIAM

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