

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-08-383 CV

JAMES WARREN BRIGHT, Appellant

V.

JOHN CHARLES SPURLOCK, Appellee

On Appeal from the 411th District Court
Polk County, Texas
Trial Cause No. CIV18,482

MEMORANDUM OPINION

On October 9, 2008, we notified the parties that the notice of appeal did not appear to have been timely filed. The appellant and the appellee filed responses to our correspondence. The trial court signed the judgment on May 5, 2004, and the appellate timetables were not extended by the timely filing of post-judgment motions. Notice of appeal was due to be filed on June 4, 2008. *See* TEX. R. APP. P. 26.1. Appellant filed notice of appeal on August 22, 2008, more than thirty days from the date of judgment and outside the

time for which we may grant an extension of time to perfect appeal. *See* TEX. R. APP. P.

26.3. This Court lacks jurisdiction over this appeal.

Accordingly, we dismiss the appeal for lack of jurisdiction.¹

APPEAL DISMISSED.

STEVE McKEITHEN
Chief Justice

Opinion Delivered November 20, 2008
Before McKeithen, C.J., Kreger and Horton, JJ.

¹ Appeal No. 09-08-384 CV, *James Warren Bright v. John Charles Spurlock and TDCJ Inmate Trust Fund*, is not affected by the opinion and judgment in this appeal, and remains before the Court.