

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-15-00175-CR
NO. 09-15-00176-CR
NO. 09-15-00177-CR

ALPHA JAMES BADEAUX, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 359th District Court
Montgomery County, Texas
Trial Cause No. 05-02-01288 CR (Counts 1, 2 and 3)

MEMORANDUM OPINION

On April 28, 2015, Alpha James Badeaux filed notices of appeal concerning his convictions for indecency with a child by contact, aggravated sexual assault on a child and burglary of a habitation in trial court case number 05-02-01288 CR. We notified the parties that the notices of appeal had not been filed within the time required for perfecting appeals. Badeaux filed a motion for an extension of time to file his notices of appeal.

The trial court sentenced Badeaux on October 26, 2005. The convictions were affirmed on appeal and the Texas Court of Criminal Appeals refused Badeaux's petition for discretionary review. *See generally Badeaux v. State*, No. 09-05-489-CR, 2007 WL 1052439, at *1 (Tex. App.—Beaumont Apr. 4, 2007, pet. ref'd) (mem. op.) (not designated for publication). A federal court subsequently denied with prejudice Badeaux's petition for writ of habeas corpus. *See generally Badeaux v. Thaler*, No. H-09-4127, 2011 WL 863617 (S.D. Tex. Mar. 9, 2011) (mem. op.) (not designated for publication). The notices of appeal at issue here were filed after Badeaux's convictions were final and not subject to direct appeal. We deny the appellant's motion for extension of time to file notice of appeal and we dismiss the appeals for lack of jurisdiction.

APPEALS DISMISSED.

STEVE McKEITHEN
Chief Justice

Submitted on June 23, 2015
Opinion Delivered June 24, 2015
Do Not Publish

Before McKeithen, C.J., Horton and Johnson, JJ.