

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-17-00087-CR**

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**DEANDRA BERNARD RUSSELL, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 258th District Court**  
**Polk County, Texas**  
**Trial Cause No. 24,154**

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**MEMORANDUM OPINION**

The trial court sentenced Deandra Bernard Russell on June 6, 2016. Russell filed a notice of appeal on March 22, 2017. In a criminal case, the appeal must be filed within thirty days of the date the sentence is imposed, or within ninety days if the defendant files a motion for new trial. Tex. R. App. P. 26.2(a)(1). Given the nearly nine month delay in Russell’s filing her notice of appeal, we notified the parties that Russell had filed her notice of appeal too late to perfect an appeal. *See* Tex. R. App. P. 25.2(b) (“In a criminal case, appeal is perfected by timely filing a

sufficient notice of appeal.”). Russell filed a response, but in it, she failed to articulate a valid basis explaining why we could exercise jurisdiction over her appeal.

The Court finds that the notice of appeal was not timely filed. *See* Tex. R. App. P. 26.2(a)(1). Russell also did not file a motion for extension of time to file her appeal. *See* Tex. R. App. P. 26.3. The Court finds it is without jurisdiction to entertain Russell’s appeal. Accordingly, Russell’s appeal is dismissed for lack of jurisdiction.

APPEAL DISMISSED.

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HOLLIS HORTON  
Justice

Submitted on May 16, 2017  
Opinion Delivered May 17, 2017  
Do Not Publish

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