



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-12-00193-CV

THE IMAGING BUREAU, INC.

APPELLANT

V.

TELECHECK SERVICES, INC.

APPELLEE

FROM COUNTY COURT AT LAW NO. 2 OF TARRANT COUNTY

MEMORANDUM OPINION¹

On January 30, 2012, the trial judge signed a take-nothing judgment on appellant The Imaging Bureau, Inc.'s claims against appellee TeleCheck Services, Inc. Appellant timely filed a motion for new trial on February 27, 2012, but appellant did not file its notice of appeal until May 16, 2012, and the notice of appeal is therefore untimely. See Tex. R. Civ. P. 329b(a); Tex. R. App. P. 26.1(a)(1), 26.3.

¹See Tex. R. App. P. 47.4.

We sent a letter to appellant to express our concern that we do not have jurisdiction over the appeal because the notice of appeal is untimely. In the letter, we informed appellant that unless it filed a response showing grounds for continuing the appeal, the appeal could be dismissed. Appellant has not responded. Because appellant's notice of appeal is untimely, we dismiss the appeal for want of jurisdiction. See Tex. R. App. P. 25.1(a), 26.1(a)(1), 42.3(a), 43.2(f); *Crites v. Collins*, 284 S.W.3d 839, 840 (Tex. 2009) (indicating that jurisdiction vests with a timely-filed notice of appeal); *Howlett v. Tarrant Cnty.*, 301 S.W.3d 840, 843 (Tex. App.—Fort Worth 2009, pet. denied) (op. on reh'g) (“A timely-filed notice of appeal confers jurisdiction on this court, and absent a timely[-]filed notice of appeal, we must dismiss the appeal.”).

PER CURIAM

PANEL: LIVINGSTON, C.J.; DAUPHINOT and GARDNER, JJ.

DELIVERED: September 13, 2012