



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-19-00034-CR

DAVID ANTHONY ALFORD, Appellant

v.

THE STATE OF TEXAS

On Appeal from the 97th District Court
Montague County, Texas
Trial Court No. 97-01-0006M-CR

Before Gabriel, Kerr, and Pittman, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION

On January 30, 2019, appellant David Anthony Alford filed a notice of appeal indicating his intent to appeal from his May 13, 1998 conviction for burglary of a habitation. On February 1, 2019, we notified Alford of our concern that we do not have jurisdiction over this appeal because his notice of appeal was not timely filed. *See* Tex. R. App. P. 26.2(a). We warned him that we would dismiss this appeal for want of jurisdiction unless we received a response showing grounds to continue it. *See* Tex. R. App. P. 44.3. Alford filed a response, but it does not show grounds for continuing this appeal.

Our appellate jurisdiction is triggered through a timely filed notice of appeal. *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996). If a notice of appeal is not timely filed, we do not have jurisdiction to address the merits of the appeal and may take no action other than dismissal. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). To be timely, a defendant must file a notice of appeal within thirty days after the date the trial court imposes sentence. Tex. R. App. P. 26.2(a). Alford did not do so. Thus, we have no jurisdiction over this appeal. Accordingly, we dismiss it. *See* Tex. R. App. P. 43.2(f).

Per Curiam

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Tex. R. App. P. 47.2(b)

Delivered: February 28, 2019