



**In the  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

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No. 06-23-00061-CR

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JESSICA ANN CAHALL, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 5th District Court  
Bowie County, Texas  
Trial Court No. 17F1143-005

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Before Stevens, C.J., van Cleef and Rambin, JJ.  
Memorandum Opinion by Justice Rambin

## MEMORANDUM OPINION

Jessica Ann Cahall has filed an untimely notice of appeal from the trial court's judgment revoking her community supervision and sentencing her to two years' incarceration for possession of a controlled substance. We dismiss the appeal for want of jurisdiction.

Sentence was imposed in this matter on January 9, 2023, and Cahall did not file a motion for new trial. As a result, Cahall's notice of appeal was due on or before February 8, 2023. *See* TEX. R. APP. P. 26.2(a)(1). Cahall's notice of appeal was not filed until March 24, 2023, forty-four days past the deadline for filing such notice. Consequently, Cahall's attempt to appeal her revocation judgment in this matter was untimely. The Texas Court of Criminal Appeals has expressly held that, without a timely filed notice of appeal, we cannot exercise jurisdiction over an appeal. *See Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996); *see also Slaton v. State*, 981 S.W.2d 208, 209 n.3 (Tex. Crim. App. 1998) (per curiam).

By letter dated April 6, 2023, we notified Cahall that her notice of appeal appeared to be untimely and that the appeal was subject to dismissal for want of jurisdiction. We gave Cahall twenty days to respond to our letter and to demonstrate how we have jurisdiction over the appeal notwithstanding the noted defect. Although Cahall responded to our letter, she failed to demonstrate how we have jurisdiction over her appeal.

Because Cahall did not timely file her notice of appeal, we dismiss the appeal for want of jurisdiction.

Jeff Rabin  
Justice

Date Submitted: May 8, 2023  
Date Decided: May 9, 2023

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