



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

No. 06-24-00022-CR

SHAUNNA LYNN SHAW, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 71st District Court
Harrison County, Texas
Trial Court No. 23-0102X

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

MEMORANDUM OPINION

Shaunna Lynn Shaw filed an untimely notice of appeal from the trial court's judgment convicting her of possession of a controlled substance and sentencing her to sixteen months' confinement in state jail. We dismiss the appeal for want of jurisdiction.

The trial court imposed sentence in this matter on January 4, 2024, and Shaw did not file a motion for new trial. As a result, Shaw's notice of appeal was due on or before February 5, 2024. *See* TEX. R. APP. P. 26.2(a)(1). Shaw did not file her notice of appeal until February 6, 2024, making it one day late. Consequently, Shaw's attempt to appeal her conviction 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 February 8, 2024, we notified Shaw that her notice of appeal appeared to be untimely and that the appeal was subject to dismissal for want of jurisdiction. We gave Shaw ten days to respond to our letter and to demonstrate how we had jurisdiction over the appeal notwithstanding the noted defect. Shaw did not respond to our letter.

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

Charles van Cleef
Justice

Date Submitted: March 8, 2024
Date Decided: March 11, 2024

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