



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-12-00235-CR

JAMES ELLIS FREE,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 220th District Court  
Bosque County, Texas  
Trial Court No. CR14309

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MEMORANDUM OPINION

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James Ellis Free was convicted of the felony offense of driving while intoxicated and sentenced to seven years in prison. *See* TEX. PENAL CODE ANN. § 49.04 (West Supp. 2012). By letter dated August 7, 2012, the Clerk of this Court notified Free that his appeal was subject to dismissal because the notice of appeal appeared to be untimely. *See* TEX. R. APP. P. 26.2(a(2); 44.3. The Clerk further warned Free that his appeal would be dismissed unless, within 21 days from the date of the letter, a response was filed showing grounds for continuing the appeal. More than 21 days have passed and no response has been filed.

The appeal is dismissed.

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins

Appeal dismissed

Opinion delivered and filed September 6, 2012

Do not publish

[CR25]