



IN THE
TENTH COURT OF APPEALS

No. 10-13-00271-CR

FREDERICK LOUIS PITTS,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 85th District Court
Brazos County, Texas
Trial Court No. 08-03413-CRF-85

MEMORANDUM OPINION

On August 9, 2013, Frederick Pitts filed a pro se notice of appeal and a pauper's oath requesting appointment of counsel and a free record. Pitts's imposition of sentence was on April 11, 2012 and the judgments of conviction were signed on May 11, 2012. His notice of appeal is untimely, and we have no jurisdiction of an untimely appeal. *See* TEX. R. APP. P. 26.2(a)(1); *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996) (no appellate jurisdiction where notice of appeal is untimely).

Accordingly, this appeal is dismissed.¹

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and filed August 22, 2013
Do not publish
[CRPM]

¹ A motion for rehearing may be filed within 15 days after the judgment or order of this Court is rendered. *See* TEX. R. APP. P. 49.1. If the appellant desires to have the decision of this Court reviewed by filing a petition for discretionary review, that petition must be filed in the Court of Criminal Appeals within 30 days after either the day the court of appeals' judgment was rendered or the day the last timely motion for rehearing was overruled by the court of appeals. *See* TEX. R. APP. P. 68.2 (a).