



IN THE  
TENTH COURT OF APPEALS

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No. 10-16-00095-CR

STEPHEN D. HOGANKAMP,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 52nd District Court  
Coryell County, Texas  
Trial Court No. FCM-07-18966

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MEMORANDUM OPINION

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Stephen D. Hogankamp, a prison inmate, seeks to appeal his conviction which occurred in June of 2008. Hogankamp was required to file a notice of appeal within 30 days of the date he was sentenced in open court. *See* TEX. R. APP. P. 26.2(a)(1). Because he did not, his notice of appeal is untimely; and we have no jurisdiction of an untimely appeal. *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996) (no appellate jurisdiction where notice of appeal is untimely).

Hogankamp notes, however, in his cover letter to the trial court clerk that he believes he has grounds to file a late notice of appeal. As an intermediate appellate court, we lack jurisdiction to grant an out-of-time appeal; that authority belongs exclusively to the Court of Criminal Appeals through a writ of habeas corpus. *See Parr v. State*, 206 S.W.3d 143, 144-45 (Tex. App.—Waco 2006, no pet.).

Accordingly, this appeal is dismissed.<sup>1</sup>

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins

Appeal dismissed

Opinion delivered and filed March 31, 2016

Do not publish

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<sup>1</sup> A motion for rehearing may be filed within 15 days after the judgment 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 with the Court of Criminal Appeals within 30 days after either the day this Court's judgment was rendered or the day the last timely motion for rehearing was overruled by this Court. *See* TEX. R. APP. P. 68.2(a).