



IN THE
TENTH COURT OF APPEALS

No. 10-16-00341-CR

SHAUN FITZPATRICK,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 361st District Court
Brazos County, Texas
Trial Court No. 13-02709-CRF-361

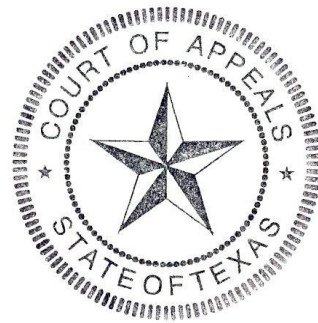
MEMORANDUM OPINION

Shaun Fitzpatrick appeals the trial court's judgment of conviction which he contends was signed on May 4, 2016. Fitzpatrick 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). His notice of appeal filed here on October 20, 2016 is untimely. We have no jurisdiction of an untimely appeal, and this appeal must be dismissed. *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

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins
Appeal dismissed
Opinion delivered and October 26, 2016
Do not publish
[CR25]



¹ 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).