



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-17-00308-CR

ERNEST EARL WASHINGTON, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 54th District Court  
McLennan County, Texas  
Trial Court No. 2016-1709-C2

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MEMORANDUM OPINION

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Ernest Earl Washington, Jr. appeals a conviction rendered against him on August 16, 2017. Washington was required to file his notice of appeal within 30 days after the day the trial court rendered the order. *See* TEX. R. APP. P. 26.2(a)(1). His notice of appeal filed on September 22, 2017 is therefore untimely. *See id.* We have no jurisdiction of an untimely appeal, and this appeal must be dismissed. *See Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996) (no appellate jurisdiction where notice of appeal is untimely).

Notwithstanding that we are dismissing this appeal, appellant may file a motion for rehearing with this Court within 15 days after this opinion and judgment are rendered if appellant believes this opinion and judgment are erroneously based on inaccurate information or documents. *See* TEX. R. APP. P. 49.1. Moreover, if the appellant desires to have the opinion and judgment 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 is rendered or the day the last timely motion for rehearing is overruled by this Court. *See* TEX. R. APP. P. 68.2(a).

For the reasons stated, this appeal is dismissed.

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed October 4, 2017  
[CRPM]

