



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-19-00072-CR

TYRELL J. DEVER,

Appellant

v.

THE STATE OF TEXAS,

Appellee

\_\_\_\_\_  
From the 54th District Court  
McLennan County, Texas  
Trial Court No. 2016-1869-C2

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MEMORANDUM OPINION

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On February 25, 2019, Tyrell J. Dever filed a *pro se* notice of appeal of his conviction for murder. Dever's imposition of sentence was on October 29, 2018, and the judgment of conviction was signed the same day. Dever's notice of appeal is therefore untimely, and we have no jurisdiction of an untimely appeal. See TEX. R. APP. P. 26.2(a); *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996) (no appellate jurisdiction where notice of appeal is untimely). For the reasons stated, this appeal is dismissed.

Notwithstanding that we are dismissing this appeal, Dever may file a motion for rehearing with this Court within 15 days after this opinion and judgment are rendered if he believes this opinion and judgment are erroneously based on inaccurate information or documents. *See* TEX. R. APP. P. 49.1. Moreover, if Dever 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).

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Neill

Dismissed

Opinion delivered and filed March 13, 2019

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