



**IN THE
TENTH COURT OF APPEALS**

No. 10-19-00464-CV

LARECE WYATT,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 54th District Court
McLennan County, Texas
Trial Court No. 2006-330-C2**

MEMORANDUM OPINION

Appellant Larece Wyatt filed this appeal at the earliest on December 9, 2019, the date he signed his notice of appeal. Appellant is appealing the trial court's order denying his "Motion for Relief of Court Appointed Attorney's Fees, Cost and Recuperation of Funds (Pro Se)" that was signed on September 19, 2019.

The notice of appeal is untimely; it must have been filed within thirty days after the trial court's ruling. TEX. R. APP. P. 26.1. Any motion for extension of time to file the

notice of appeal must have been filed within fifteen days after the deadline for filing the notice of appeal. *See id.* R. 26.3.

By letter dated December 19, 2019, the Clerk of this Court notified Appellant that this appeal was subject to dismissal for want of jurisdiction because it appeared that the notice of appeal was untimely. The Clerk of this Court notified Appellant that the Court may dismiss the appeal unless, within ten days from the date of the letter, Appellant showed grounds for continuing the appeal. Appellant has not done so.

Because our jurisdiction depends on a timely notice of appeal and because Appellant's notice of appeal is untimely, we dismiss this appeal for want of jurisdiction. *See id.* R. 42.3(a); *Howell v. Tarrant Cty.*, 301 S.W.3d 840, 843 (Tex. App. – Fort Worth 2009, pet. denied) (“A timely-filed notice of appeal confers jurisdiction on this court, and absent a timely filed notice of appeal, we must dismiss the appeal.” (citing *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997))). Appellant's application to proceed in forma pauperis filed on December 27, 2019 is also dismissed.

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Neill

Dismissed

Opinion delivered and filed January 15, 2020
[CV06]

