



IN THE  
TENTH COURT OF APPEALS

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No. 10-20-00261-CR

EX PARTE JESUS MIROLA, JR.

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From the 413th District Court  
Johnson County, Texas  
Trial Court No. F46009-C

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MEMORANDUM OPINION

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On September 30, 2020, Jesus Mirola, Jr. filed a *pro se* notice of appeal from the trial court's order denying his post-conviction application for writ of habeas corpus under article 11.072 of the Code of Criminal Procedure. The trial court's order was signed and entered on January 27, 2020. Mirola'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, Mirola may file a motion for rehearing with this Court within fifteen days after the judgment of this Court is rendered. *See* TEX. R. APP. P. 49.1. If Mirola 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 thirty 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  
Appeal dismissed  
Opinion delivered and filed October 14, 2020  
Do not publish  
[CR25]

