

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-02-00281-CR**

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**Roy Edward Munoz, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE COUNTY COURT AT LAW NO. 2 OF TOM GREEN COUNTY  
NO. 01-02826L2, HONORABLE PENNY ANNE ROBERTS, JUDGE PRESIDING**

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This is an appeal from a judgment of conviction for assault. Sentence was imposed on January 23, 2002. There was a timely motion for new trial. The deadline for perfecting appeal was therefore April 23, 2002. Tex. R. App. P. 26.2(a)(2). Notice of appeal was filed on April 24. No extension of time for filing notice of appeal was requested. Tex. R. App. P. 26.3. There is no indication that notice of appeal was properly mailed to the district clerk within the time prescribed by rule 26.2(a). Tex. R. App. P. 9.2(b). Under the circumstances, we lack jurisdiction to dispose of the purported appeal in any manner other than by dismissing it for want of jurisdiction. *See Slaton v. State*, 981 S.W.2d 208 (Tex. Crim. App. 1998); *Olivo v. State*, 918 S.W.2d 519, 522-23 (Tex. Crim. App. 1996).

The appeal is dismissed.

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Jan P. Patterson, Justice

Before Justices Kidd, Patterson and Puryear

Dismissed for Want of Jurisdiction

Filed: May 31, 2002

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