

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

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**NO. 03-04-00778-CR**

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**Antonio Cisneros, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 331ST JUDICIAL DISTRICT  
NO. 2042664, HONORABLE BOB PERKINS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Antonio Cisneros seeks to appeal from a judgment of conviction for felony driving while intoxicated. Sentence was suspended and Cisneros was placed on community supervision on September 17, 2004. On the same day, Cisneros signed a written waiver of appeal. On November 23, 2004, Cisneros filed a pro se notice of out-of-time appeal. Because the notice of appeal was not timely, 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); Tex. R. App. P. 26.2(a)(1).

The appeal is dismissed.

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Bob Pemberton, Justice

Before Chief Justice Law, Justices B. A. Smith and Pemberton

Dismissed for Want of Jurisdiction

Filed: January 18, 2005

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