

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

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**NO. 03-05-00402-CV**

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**Patrick A. Jones, Appellant**

**v.**

**State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF BELL COUNTY, 146TH JUDICIAL DISTRICT  
NO. 195,225-B, HONORABLE RICK MORRIS, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

The judgment in this civil forfeiture case was signed on November 22, 2004. No timetable extending documents, such as a motion for new trial, were filed. Accordingly, the notice of appeal was due on December 22, 2005. *See* Tex. R. App. P. 26.1. The notice of appeal and appellant’s “Motion for Leave to File an Out-of-Time Notice of Appeal” were not filed until March 31, 2005,<sup>1</sup> long after the deadline for the notice of appeal and the fifteen-day window to file a motion for extension. *See id.* 26.1, 26.3. Without a timely notice of appeal, we have no jurisdiction over the appeal. *See id.* 25.1(b). Accordingly, we must dismiss the appeal for want of jurisdiction. *See*

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<sup>1</sup> Even were we to use March 8, 2005, apparently the date the document was prepared, the notice would be too late.

*id.* 42.3(a); *see also Gibbs v. Allsup Enters.*, 153 S.W.3d 603, 603 (Tex. App.—Amarillo 2004, pet. denied).

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W. Kenneth Law, Chief Justice

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

Dismissed for Want of Jurisdiction

Filed: July 21, 2005