

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-06-00622-CR

Isaul Tavera, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 299TH JUDICIAL DISTRICT
NO. 007029, HONORABLE JON N. WISSER, JUDGE PRESIDING**

MEMORANDUM OPINION

Isaul Tavera seeks to appeal an order revoking community supervision. Sentence was imposed in open court on May 16, 2006. Because there was a timely motion for new trial, the deadline for perfecting appeal was August 14, 2006. Tex. R. App. P. 26.2(a)(2). Notice of appeal was filed on August 18.

Tavera also filed on August 18, in the district court, a motion for extension of time to file notice of appeal. By rule, the motion for extension of time should have been filed in this Court. Tex. R. App. P. 26.3. Delivering the motion to the district clerk did not satisfy this requirement. Tex. R. App. P. 9.2. The motion was not received by this Court until the clerk's record was filed on October 16, 2006.

Because the motion was not timely filed here, we may not extend the time for filing the notice of appeal. 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.

G. Alan Waldrop, Justice

Before Justices B. A. Smith, Pemberton and Waldrop

Dismissed for Want of Jurisdiction

Filed: November 7, 2006

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