

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-09-00432-CR

Bill Francis Womack Jr., Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF COMAL COUNTY, 207TH JUDICIAL DISTRICT
NO. CR2004-204, HONORABLE JACK H. ROBISON, JUDGE PRESIDING**

MEMORANDUM OPINION

Bill Francis Womack, Jr. seeks to appeal from a judgment of conviction for theft. *See* Tex. Penal Code Ann. § 31.03 (West Supp. 2008). Sentence was imposed on March 3, 2009. No motion for new trial was filed. The deadline for perfecting appeal was therefore April 2, 2009. *See* Tex. R. App. P. 26.2(a)(1), (2). Notice of appeal was filed July 20, 2009, containing an assertion that it was mailed by appellant on July 17, 2009. No extension of time for filing notice of appeal was requested. *See* Tex. R. App. P. 26.3. Under the circumstances, we lack jurisdiction to dispose of the attempted 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 Chief Justice Jones, Justices Waldrop and Henson

Dismissed for Want of Jurisdiction

Filed: August 31, 2009

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