

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-14-00446-CR

Isreal Reyes, Sr., Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF COMAL COUNTY, 207TH JUDICIAL DISTRICT
NO. CR2012-428, THE HONORABLE JACK H. ROBISON, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant Isreal Reyes, Sr. seeks to appeal from judgments of conviction for aggravated assault, endangering a child, and unlawful possession of a firearm by a felon. *See* Tex. Penal Code §§ 22.02(b)(1), 22.041(c), 46.04(a).

Rule 26.2 of the Texas Rules of Appellate Procedure provides that an appeal is perfected in a criminal case when notice of appeal is filed within 30 days after the day sentence is imposed or suspended in open court unless a motion for new trial is timely filed. Tex. R. App. P. 26.2(a)(1). Compliance with Rule 26—the timely filing of a notice of appeal—is essential to vest this Court with jurisdiction. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998); *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996).

In this case, the trial court imposed sentence on November 1, 2013. There was no motion for new trial filed. The deadline for perfecting appeal was therefore December 2, 2013. *See*

Tex. R. App. P. 26.2(a)(1). Appellant filed his notice of appeal on July 3, 2014. Thus, appellant's notice of appeal, filed 244 days after sentence was imposed, is untimely.

Absent a timely filed notice of appeal, we do not obtain jurisdiction to address the merits of the appeal in a criminal case and can take no action other than to dismiss the appeal for want of jurisdiction. *See Slaton*, 981 S.W.2d at 210. The appeal is dismissed.

Melissa Goodwin, Justice

Before Chief Justice Jones, Justices Rose and Goodwin

Dismissed for Want of Jurisdiction

Filed: August 20, 2014

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