



NUMBER 13-08-090-CV

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

JORGE ALBERTO MARTINEZ ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On appeal from the 206th District Court of Hidalgo County, Texas.

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Benavides
Memorandum Opinion Per Curiam**

Appellant, Jorge Alberto Martinez, attempted to perfect an appeal from a judgment entered by the 206th District Court of Hidalgo County, Texas, in cause number C-1988-02-D. The order subject to appeal was signed on May 8, 2003. Notice of appeal was not filed until February 14, 2008, almost five years later. See *generally* TEX. R. APP. P. 26.1, 26.3.

On April 7, the Clerk of this Court attempted to notify appellant of this defect by mail; however, the Court's letter was returned as unclaimed. On April 28, the Clerk again attempted to notify appellant of this defect by regular and certified mail. The correspondence sent notified appellant that the appeal did not appear to be timely so that steps could be taken to correct the defect, if it could be done. Appellant was advised that the appeal would be dismissed if the defect was not corrected within ten days from the date of receipt of this Court's letter. The letter sent by certified mail has been returned to the Court as unclaimed. To date, appellant has failed to respond to the notice sent by regular mail. These notices were all sent to appellant's last known address.

Texas Rule of Appellate Procedure 9.1(b) requires unrepresented parties to sign any document filed and "give the party's mailing address, telephone number, and fax number, if any." See TEX. R. APP. P. 9.1(b). Appellant has neither provided this court with a forwarding address nor taken any other action to prosecute this appeal.

The Court, having examined and fully considered the documents on file, appellant's failure to timely perfect his appeal, and appellant's failure to respond to this Court's notice, is of the opinion that the appeal should be dismissed for want of jurisdiction. Accordingly, the appeal is hereby DISMISSED FOR WANT OF JURISDICTION. See TEX. R. APP. P. 42.3(a),(c).

PER CURIAM

Memorandum Opinion delivered and
filed this the 10th day of July, 2008.