

**NO. 12-08-00254-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***CHRISTOPHER BEAN,***  
***APPELLANT***

§ ***APPEAL FROM THE THIRD***

***V.***

§ ***JUDICIAL DISTRICT COURT OF***

***THE STATE OF TEXAS,***  
***APPELLEE***

§ ***ANDERSON COUNTY, TEXAS***

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***MEMORANDUM OPINION***  
***PER CURIAM***

This appeal is being dismissed for want of jurisdiction. Appellant was convicted of the offense of aggravated assault with a deadly weapon, and punishment was imposed in open court on April 9, 2008. Consequently, Appellant's notice of appeal was due on May 9, 2008. *See* TEX. R. APP. P. 26.2(a)(2). However, Appellant filed his notice of appeal on June 9, 2008. Thus, Appellant's notice of appeal is untimely, which leaves us without jurisdiction over the appeal.

On June 12, 2008, this court notified Appellant that the information received in this appeal does not show the jurisdiction of this court in that the notice of appeal is untimely and there was no timely motion for an extension of time to file the notice of appeal as permitted by Texas Rule of Appellate Procedure 26.3. Appellant was further informed that the appeal would be dismissed unless, on or before June 23, 2008, the information was amended to show this court's jurisdiction. Appellant responded to the court's June 12, 2008 notice, but did not satisfy its concerns about its jurisdiction. Furthermore, this court has no authority to allow the late filing of a notice of appeal except as provided by Rule 26.3. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998) (per curiam); *Olivo v. State*, 918 S.W.2d 519, 523 (Tex. Crim. App. 1996). Consequently, this

appeal is *dismissed for want of jurisdiction*.

Opinion delivered June 25, 2008.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(DO NOT PUBLISH)