

NO. 12-10-00077-CV

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***\$10,439.00 U.S. CURRENCY, ET AL.,
APPELLANTS***

§ APPEAL FROM THE 273RD

V.

§ DISTRICT COURT OF

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

§ SHELBY COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for want of jurisdiction pursuant to Texas Rule of Appellate Procedure 42.3(a). The trial court's judgment was signed on January 26, 2010. Under rule of appellate procedure 26.1, the notice of appeal must be filed within thirty days after the judgment is signed. Appellant, Terica Jackson, did not file a motion for new trial. *See* TEX. R. APP. P. 26.1(a) (providing that notice of appeal must be filed within ninety days after judgment signed if any party timely files motion for new trial). Therefore, her notice of appeal was due to have been filed no later than February 25, 2010. Appellant did not file her notice of appeal until March 23, 2010. Because the notice of appeal was not filed on or before February 25, 2010, it was untimely, and this court has no jurisdiction of the appeal.

On March 25, 2010, this court notified Appellant pursuant to Texas Rules of Appellate Procedure 37.1 and 42.3 that her notice of appeal was 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 unless the record was amended on or before April 5, 2010 to establish the jurisdiction of this court, the appeal would be dismissed. The deadline for responding to this court's notice has expired, and Appellant has neither responded to the notice nor established this court's jurisdiction.

Because this court is not authorized to extend the time for perfecting an appeal except as provided by Texas Rules of Appellate Procedure 26.1 and 26.3, the appeal is *dismissed for want of jurisdiction*. See TEX. R. APP. P. 42.3(a).

Opinion delivered April 7, 2010.

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

(PUBLISH)