

NO. 12-10-00334-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

**MICHAEL KENNEDY,
APPELLANT**

§ **APPEAL FROM THE THIRD**

V.

§ **JUDICIAL DISTRICT COURT OF**

**THE STATE OF TEXAS,
APPELLEE**

§ **ANDERSON COUNTY, TEXAS**

**MEMORANDUM OPINION
PER CURIAM**

Appellant Michael Kennedy was convicted of burglary of a building for which sentence was imposed on September 16, 1986. This court affirmed the conviction, *see Kennedy v. State*, No. 12-86-00248-CR (Tex. App.–Tyler Feb. 25, 1988, no pet.) (not designated for publication), and issued its mandate on April 13, 1988. On October 4, 2010, Appellant filed a notice of appeal seeking relief from the final judgment.

On October 8, 2010, this court notified Appellant, pursuant to Texas Rule of Appellate Procedure 37.2, that the information received in this appeal does not contain a final judgment or other appealable order. Appellant was further informed that the appeal would be dismissed if the information received in the appeal was not amended on or before November 8, 2010, to show the jurisdiction of this court. In response to this court's notice, Appellant filed a motion requesting an additional forty-five days to provide a final judgment or other appealable order.

After considering Appellant's motion and the procedural history of the underlying case, Appellant's motion for extension of time is overruled, and the appeal is *dismissed for want of jurisdiction*. *See* TEX. R. APP. P. 37.1, 42.3. All pending motions are overruled as moot.

Opinion delivered November 10, 2010.

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

(DO NOT PUBLISH)