

NO. 12-11-00195-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>CASHMON TAYLOR JONES, APPELLANT</i>	§	<i>APPEAL FROM THE 114TH</i>
<i>V.</i>	§	<i>JUDICIAL DISTRICT COURT</i>
<i>THE STATE OF TEXAS, APPELLEE</i>	§	<i>SMITH COUNTY, TEXAS</i>

***MEMORANDUM OPINION
PER CURIAM***

This appeal is being dismissed for want of jurisdiction. Appellant was convicted of aggravated robbery, and his sentence was imposed on February 16, 2011.

In a criminal case, the notice of appeal must be filed within thirty days after sentence is imposed or within ninety days after that date if a motion for new trial is filed. TEX. R. APP. P. 26.2(a). Appellant did not file a motion for new trial. Because Appellant's sentence was imposed on February 16, 2011, and he did not file a motion for new trial, his notice of appeal was due to have been filed no later than March 18, 2011. However, Appellant did not file his notice of appeal until June 22, 2011. Because Appellant's notice of appeal was not filed on or before March 18, 2011, it was untimely, and this court has no jurisdiction of the appeal.

On July 1, 2011, this court notified Appellant, pursuant to Texas Rules of Appellate Procedure 37.1 and 42.3, that his notice of appeal was untimely and there was no timely motion for an extension of time to file the notice of appeal. See TEX. R. APP. P. 26.2(a)(1), 26.3. Appellant was further informed that the appeal would be dismissed unless the information in this appeal was amended to show the jurisdiction of this court. On July 7, 2011, Appellant's counsel notified this court of his agreement that the notice of appeal was filed late and therefore this court does not have

jurisdiction of the appeal.

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 July 13, 2011.

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

(DO NOT PUBLISH)