

**NOS. 12-16-00240-CV  
12-16-00241-CV**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***BUFFORD TYRONE BLAYLOCK,*** § ***APPEALS FROM THE 392ND***  
***APPELLANT***

***V.*** § ***JUDICIAL DISTRICT COURT***

***THE STATE OF TEXAS,*** § ***HENDERSON COUNTY, TEXAS***  
***APPELLEE***

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

This appeal is being dismissed for want of jurisdiction. On June 20, 2016, the trial court signed an order relating to two cause numbers denying Appellant's motion to "rescind withdrawal of funds from inmate trust account and restore funds to inmate trust account." Appellant seeks to appeal that order.

Under the rules of appellate procedure, the notice of appeal must be filed within thirty days after the judgment is signed. *See* TEX. R. APP. P. 26.1. Thus, Appellant's notice of appeal in these appeals was due to have been filed on or before July 20, 2016. *See id.* However, Appellant filed the notice of appeal on August 18, 2016. Consequently, Appellant's notice of appeal was untimely, and this Court does not have jurisdiction of the appeals. *See* TEX. R. APP. P. 26.3.

On August 30, 2016, this Court notified Appellant that his notice of appeal was not filed within the time allowed by Rule 26.1 and that there was no timely motion for an extension of time to file such motion as permitted by Texas Rule of Appellate Procedure 26.3. *See* TEX. R. APP. P. 26.3 (requiring motion to extend time for filing notice of appeal to be filed within fifteen days after deadline for filing notice of appeal). Appellant was further informed that the appeals would be dismissed unless, on or before September 9, 2016, the information in the appeals was

amended to show the jurisdiction of this Court. Appellant has not responded to the September 9, 2016 notice, and the information has not been amended to show this Court's jurisdiction.

A timely notice of appeal must be filed in order to invoke this court's jurisdiction. *See* TEX. R. APP. P. 25.1(b). "Once the period for granting a motion for extension of time under Rule [26.3] has passed, a party can no longer invoke the appellate court's jurisdiction." *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). Appellant's notice of appeal was untimely. Accordingly, we *dismiss* the appeals *for want of jurisdiction*. *See* TEX. R. APP. P. 42.3(a). All pending motions are dismissed.

Opinion delivered September 14, 2016.

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

(PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

SEPTEMBER 1, 2016

NO. 12-16-00240-CV

**BUFFORD TYRONE BLAYLOCK,**

Appellant

V.

**THE STATE OF TEXAS,**

Appellee

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Appeal from the 392nd District Court  
of Henderson County, Texas (Tr.Ct.No. B-15,746)

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THIS CAUSE came on to be heard on the motion of the Appellant to dismiss the appeal herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to dismiss be **granted** and the appeal be **dismissed**, and that the decision be certified to the court below for observance.

By *per curiam* opinion.

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



**COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT OF TEXAS**

**JUDGMENT**

**SEPTEMBER 14, 2016**

**NO. 12-16-00241-CV**

**BUFFORD TYRONE BLAYLOCK,**  
Appellant  
V.  
**THE STATE OF TEXAS,**  
Appellee

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Appeal from the 392nd District Court  
of Henderson County, Texas (Tr.Ct.No. B-15,747)

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THIS CAUSE came on to be heard on the motion of the Appellant to dismiss the appeal herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion to dismiss be **granted** and the appeal be **dismissed**, and that the decision be certified to the court below for observance.

By *per curiam* opinion.  
*Panel consisted of Worthen, C.J., Hoyle, J. and Neeley, J.*