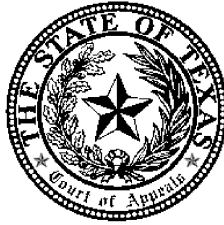


Dismissed and Opinion filed February 14, 2002.



In The
Fourteenth Court of Appeals

NO. 14-00-00597-CR

HUGO VASQUEZ MORA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the County Criminal Court at Law No. 13
Harris County, Texas
Trial Court Cause No. 99-50484**

OPINION

Appellant pleaded guilty to possession of marijuana on March 2, 2000. On March 31, 2000, in accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant to ten days jail confinement, with one day credit. Because we have no jurisdiction over this appeal, we dismiss.

On March 31, 2000, appellant filed a general notice of appeal that did not comply with the requirements of Rule 25.2(b)(3) of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 25.2(b)(3). Rule 25.2(b)(3) provides that when an appeal is from a judgment rendered on a defendant's plea of guilty or nolo contendere and the punishment assessed

does not exceed the punishment recommended by the State and agreed to by the defendant, the notice of appeal must: (1) specify that the appeal is for a jurisdictional defect; (2) specify that the substance of the appeal was raised by written motion and ruled on before trial; or (3) state that the trial court granted permission to appeal. *Id.*

In response to our notice of intent to dismiss the appeal, appellant contends this court has jurisdiction because, on August 10, 2000, he filed an amended notice of appeal stating the trial court granted permission to appeal. When, as here, a defendant does not timely file a motion for new trial, he must file his notice of appeal within 30 days after sentence is imposed. TEX. R. APP. P. 26.2(a)(1).

Because the time for filing a proper notice of appeal had expired when appellant filed his amended notice of appeal on August 10, the amended notice of appeal cannot serve to correct jurisdictional defects. *See State v. Riewe*, 13 S.W.3d 408, 413-14 (Tex. Crim. App. 2000). Because appellant's original notice of appeal did not comply with the requirements of Rule 25.2(b)(3), and his amended notice of appeal was not timely filed, we are without jurisdiction to consider the merits of appellant's appeal.

Accordingly, we dismiss the appeal for want of jurisdiction.

/s/ John S. Anderson
Justice

Judgment rendered and Opinion filed February 14, 2002.

Panel consists of Justices Anderson, Hudson, and Seymore.

Do Not Publish — TEX. R. APP. P. 47.3(b).