

Dismissed and Opinion filed February 28, 2002.



In The
Fourteenth Court of Appeals

NO. 14-02-00103-CR

TIMOTHY DENNIS PORATH, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 240th District Court
Fort Bend County, Texas
Trial Court Cause No. 33,487**

MEMORANDUM OPINION

Appellant filed an application for a pretrial writ of habeas corpus on December 18, 2000. On March 27, 2001, the trial court signed an order denying the requested relief. Appellant's notice of appeal was not filed until November 27, 2001.

A defendant's notice of appeal must be filed within thirty days after the trial court enters an appealable order. TEX. R. APP. P. 26.2(a)(1). A notice of appeal which complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely

perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed February 28, 2002.

Panel consists of Chief Justice Brister and Justices Anderson and Frost.

Do Not Publish - TEX.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