

Dismissed and Opinion filed September 28, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-01108-CR

NO. 14-00-01109-CR

RAY CHARLES JACKSON, JR., Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause Nos. 761,827 & 780,410**

OPINION

After guilty pleas, appellant was convicted of the offenses of theft and aggravated robbery and sentenced to two years in a state jail facility and twenty-one years in prison, respectively, on April 19, 1999. No motion for new trial was filed in either case. Appellant's notice of appeal was not filed until August 18, 2000. Included in the record filed in these appeals is appellant's motion to permit late filing of his notice of appeal.

A defendant's notice of appeal must be filed within thirty days after sentence is imposed when the defendant has not filed a motion for new trial. *See* 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. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). An appellate court may only extend the time to file the notice of appeal if a motion to extend time is filed with the appellate court within fifteen days of the deadline for filing the notice of appeal. *See* TEX. R. APP. P. 26.3; *Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996). 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. *See id.*

This court has no jurisdiction to consider these appeals because appellant failed to file a notice of appeal and motion for extension of time within the fifteen-day period after the deadline for filing the notice of appeal. Accordingly, the appeals are ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed September 28, 2000.

Panel consists of Chief Justice Murphy, Justices Amidei and Hudson.

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