

Dismissed and Opinion filed April 12, 2001.



In The

Fourteenth Court of Appeals

NO. 14-01-00245-CR

BETTY JOY WILLIAMS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 862,535**

MEMORANDUM OPINION

After a guilty plea, appellant was convicted of the offense of forgery of a commercial instrument and sentenced on January 12, 2001, to three years incarceration in the Institutional Division of the Texas Department of Criminal Justice. No motion for new trial was filed. Appellant's notice of appeal was not filed until February 16, 2001.

On March 19, 2001, this court advised appellant that the notice of appeal was untimely and that the court would dismiss unless appellant filed a response by March 29, 2001, showing meritorious grounds for continuing the appeal. Appellant filed no response.

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). 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.*

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed April 12, 2001.

Panel consists of Justices Yates, Fowler, and Wittig.

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