

**Dismissed and Opinion filed March 1, 2001.**

**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-00-01512-CR**

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**MICHAEL WAYNE LEGGETT, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 209th District Court  
Harris County, Texas  
Trial Court Cause No. 823,335**

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**MEMORANDUM OPINION**

Appellant pleaded guilty to the offense of failure to stop and render aid. On February 22, 2000, the trial court sentenced appellant to five years confinement in the Texas Department of Criminal Justice--Institutional Division, but probated the sentence. Appellant was also ordered to pay restitution in the amount of \$13,317.00. On July 10, 2000, the State filed a motion to revoke appellant's probation alleging he failed to abide by the terms and conditions of that probation. Based on a plea agreement with the State, appellant pleaded true to the allegation in the State's motion and, on October 25, 2000, the trial court granted the State's motion and sentenced appellant, in accordance with the terms of the plea

agreement, to three years confinement in the Texas Department of Criminal Justice--Institutional Division. No motion for new trial was filed. Appellant's notice of appeal was not filed until November 30, 2000.

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. 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 March 1, 2001.

Panel consists of Justices Anderson, Hudson, and Seymore.

Do Not Publish - TEX.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