

Dismissed and Opinion filed December 7, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-01264-CR

KENNETH BERNARD SCOTT, JR., Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 831,609**

OPINION

After a guilty plea, appellant was convicted of the offense of aggravated robbery, with an affirmative finding on the use of a deadly weapon, and sentenced to twenty years in prison on August 22, 2000. No motion for new trial was filed. Appellant's notice of appeal was not filed until October 2, 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. *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 December 7, 2000.

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

Do Not Publish - TEX.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