



**In The  
Court of Appeals  
Sixth Appellate District of Texas at Texarkana**

---

No. 06-20-00070-CR

---

CLIFTON POULTON, Appellant

V.

THE STATE OF TEXAS, Appellee

---

On Appeal from the 202nd District Court  
Bowie County, Texas  
Trial Court No. 19-F-0053-202

---

Before Morriss, C.J., Burgess and Stevens, JJ.  
Memorandum Opinion by Justice Stevens

## MEMORANDUM OPINION

Clifton Poulton has filed an untimely notice of appeal from his convictions of two counts of burglary of a habitation with intent to commit a felony and one count of attempted aggravated sexual assault and the resulting concurrent life sentences.<sup>1</sup> We dismiss the appeal for want of jurisdiction.

The judgments of conviction in these matter indicate that Poulton's sentences were imposed on January 10, 2020, and that Poulton filed a timely motion for new trial, thereby extending the deadline for filing a notice of appeal from thirty to ninety days from the date sentences were imposed. *See* TEX. R. APP. P. 26.2(a)(2). Poulton's notice of appeal was therefore due on or before April 9, 2020. *See id.* Poulton's notice of appeal was filed on May 4, 2020, well beyond the April 9 deadline. Consequently, Poulton's attempt to appeal his convictions in this matter was untimely.

The Texas Court of Criminal Appeals has expressly held that, without a timely filed notice of appeal, we cannot exercise jurisdiction over an appeal. *See Olivo v. State*, 918 S.W.2d 519, 522 (Tex. Crim. App. 1996); *see also Slaton v. State*, 981 S.W.2d 208, 209 n.3 (Tex. Crim. App. 1998) (per curiam).

We notified Poulton by letter that his notice of appeal appeared to be untimely and that the appeal was subject to dismissal for want of jurisdiction. We gave Poulton ten days to respond to our letter and demonstrate how we had jurisdiction over the appeal notwithstanding the noted defect. Counsel for Poulton notified this Court that he did not intend to file a response to our letter.

---

<sup>1</sup>*See* TEX. PENAL CODE ANN. §§ 15.01, 22.021, 30.02(d).

Because Poulton has not timely perfected his appeal, we dismiss the appeal for want of jurisdiction.

Scott E. Stevens  
Justice

Date Submitted: June 17, 2020  
Date Decided: June 18, 2020

Do Not Publish