

Dismissed and Opinion filed January 11, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01424-CR

RONNIE AARON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 174th District Court
Harris County, Texas
Trial Court Cause No. 9400987**

OPINION

After a jury trial, appellant was convicted of the offense of possession of a controlled substance and sentenced to 60 years in the Texas Department of Criminal Justice, Institutional Division on August 3, 1994. No motion for new trial was filed. The record contains a petition for discretionary review, filed with the District Clerk's Office on February 21, 1995, and a "Motion for Leave to Extend or Amended Brief Not Yet Assigned /or Under Submission," filed with the District Clerk's Office on November 2, 2000. Even if we were to construe either of these documents as an attempted notice of appeal, both documents were untimely filed.

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 January 11, 2001.

Panel consists of Justices Anderson, Fowler, and Edelman.

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