Dismissed and Opinion filed November 9, 2000.

In The

Fourteenth Court of Appeals

_____

NO. 14-00-01192-CV

_____

GLORIA LYDIA WILSON, Appellant

V.

AMERICAN HONDA FINANCE CORPORATION, Appellee

**On Appeal from the 151st District Court
Harris County, Texas
Trial Court Cause No. 98-55392**

O P I N I O N

This is an attempted appeal from a summary judgment signed January 26, 2000. Appellant filed a motion for new trial on February 25, 2000. Appellant's notice of appeal was filed May 19, 2000.

When appellant has filed a timely motion for new trial, motion to modify the judgment, motion to reinstate, or a request for findings of fact and conclusions of law, the notice of appeal must be filed within ninety days after the date the judgment is signed. *See* TEX. R. APP. P. 26.1(a). Therefore, appellant's notice of appeal was due April 26, 2000.

Appellant's notice of appeal was not filed timely. A motion for extension of time is necessarily implied when an appellant, acting in good faith, files a notice of appeal beyond the time allowed by Rule 26.1, but within the fifteen-day grace period provided by Rule 26.3 for filing a motion for extension of time. *See Verburgt v. Dorner*, 959 S.W.2d 615, 617-18 (1997) (construing the predecessor to Rule 26). However, the appellant must offer a reasonable explanation for failing to file the notice of appeal in a timely manner. See TEX. R. APP. P. 26.3, 10.5(b)(1)(C); *Verburgt*, 959 S.W.2d at 617-18. Appellant's notice of appeal was not filed within the fifteen-day period provided by rule 26.3. Accordingly, no motion for extension of time can be implied.

On October 18, 2000, appellee filed a motion to dismiss for want of jurisdiction. *See* TEX. R. APP. P. 42.3(a). Appellant filed no response.

In the absence of a timely filed notice of appeal, this Court has no jurisdiction. Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed November 9, 2000.

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

Do Not Publish — TEX.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