

**Dismissed and Opinion filed January 4, 2001.**



**In The**

**Fourteenth Court of Appeals**

-----  
**NO. 14-00-01519-CR**  
-----

**OSCAR MONCADO, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

**On Appeal from the 183rd District Court  
Harris County, Texas  
Trial Court Cause No. 853,995**

---

**O P I N I O N**

After a guilty plea, appellant was convicted of the offense of possession of a controlled substance with intent to manufacture or deliver the controlled substance, and sentenced to twenty-five years in prison and a \$500 fine on October 19, 2000. No motion for new trial was filed. Appellant's pro se notice of appeal was not filed until November 27, 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. *Id.*

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Judgment rendered and Opinion filed January 4, 2001.

Panel consists of Chief Justice Murphy, Justices Amidei and Hudson.<sup>1</sup>

Do Not Publish - TEX.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

---

<sup>1</sup> Former Justice Maurice Amidei sitting by assignment.