

Dismissed and Opinion filed January 4, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01521-CR

JIMMY AGUILLON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 228th District Court
Harris County, Texas
Trial Court Cause No. 835,974**

O P I N I O N

After a guilty plea , appellant was convicted of the offense of possession with intent to deliver a controlled substance, namely cocaine and sentenced to thirty years and a \$1,000.00 fine on September 7, 2000. No motion for new trial was filed. Appellant's notice of appeal was not filed until October 31, 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 on January 4, 2001.

Panel consists of Justices Yates, Wittig, and Frost.

Do Not Publish — *See* TEX.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