

**Dismissed and Opinion filed March 1, 2001.**

**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-01-00152-CR**

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**JOHN COWHAN A/K/A ANDREW LEE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 178th District Court  
Harris County, Texas  
Trial Court Cause No. 451,395**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of aggravated robbery and sentenced on October 20, 1986, to 25 years incarceration in the Texas Department of Criminal Justice. No motion for new trial was filed. Appellant's notice of appeal was not filed until December 1, 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 March 1, 2001.

Panel consists of Justices Yates, Wittig, and Anderson.

Do Not Publish - TEX.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