

**Dismissed and Opinion filed June 14, 2001.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-01-00574-CR**  
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**DENNIS RAY FLANAGAN, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 263rd District Court  
Harris County, Texas  
Trial Court Cause No. 717,180**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of robbery and sentenced to confinement in the Institutional Division of the Texas Department of Criminal Justice for twelve years on May 2, 1996. No motion for new trial was filed. Appellant's pro se notice of appeal was not filed until April 5, 2001.<sup>1</sup>

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<sup>1</sup> Our record contains no indication that appellant was granted an out-of-time appeal by the Court of Criminal Appeals.

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 June 14, 2001.

Panel consists of Justices Edelman and Frost and Senior Chief Justice Murphy.<sup>2</sup>

Do Not Publish - TEX.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

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<sup>2</sup> Senior Chief Justice Paul C. Murphy sitting by assignment.