

Dismissed and Opinion filed August 31, 2000.



In The

## Fourteenth Court of Appeals

NO. 14-00-00982-CR

**RICHARD RAY PEREZ, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 351st District Court  
Harris County, Texas  
Trial Court Cause No. 780,521**

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### **OPINION**

After appellant's community supervision for conviction of the offense of burglary of a habitation with intent to commit theft was revoked, appellant was sentenced to four years in prison on June 21, 2000. No motion for new trial was filed. Appellant's notice of appeal was not filed until July 24, 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 August 31, 2000.

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

Do Not Publish - TEX.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