

Dismissed and Opinion filed October 12, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-01188-CR

ANTOINE FLORENCE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 185th District Court
Harris County, Texas
Trial Court Cause No. 745,255**

OPINION

Appellant pleaded guilty to the offense of indecency with a child. On December 17, 1997, the trial court deferred a finding of guilt and placed appellant on 10 years probation. On June 7, 2000, the State filed a motion to adjudicate guilt alleging appellant had not complied with the terms of his probation. On August 2, 2000, the trial court granted the State's motion, found appellant guilty, and sentenced appellant to 15 years in the Texas Department of Criminal Justice--Institutional Division. No motion for new trial was filed. Appellant's notice of appeal was not filed until September 22, 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 October 12, 2000.

Panel consists of Justices Yates, Wittig, and Frost.

Do Not Publish — *See* TEX.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