

Dismissed and Opinion filed December 2, 1999.



In The

Fourteenth Court of Appeals

NO. 14-99-01268-CR

CARLOS ERNESTO MERAZ, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 85th District Court
Brazos County, Texas
Trial Court Cause No. 26,623-85**

O P I N I O N

After a guilty plea, appellant was convicted of the offense of murder and sentenced to thirty-five year imprisonment in the Institutional Division of the Texas Department of Criminal Justice on June 24, 1999. No motion for new trial was filed. Appellant's notice of appeal was not filed until November 3, 1999.

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 December 2, 1999.

Panel consists of Justices Yates, Fowler, and Frost.

Do Not Publish - TEX.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