

Dismiss and Opinion Filed July 22, 2020



**In The
Court of Appeals
Fifth District of Texas at Dallas**

No. 05-20-00671-CR

KELVIN JONES, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 363rd Judicial District Court
Dallas County, Texas
Trial Court Cause No. F14-76336-W**

MEMORANDUM OPINION

Before Justices Schenck, Molberg, and Nowell
Opinion by Justice Molberg

On February 21, 2019, the trial court granted the State's motion to proceed with adjudication of guilt, found appellant guilty of aggravated sexual assault of a child under fourteen years of age, and assessed punishment at twenty years in prison. On June 11, 2020, appellant signed his pro se notice of appeal and mailed it to the Dallas County District Clerk who in turn forwarded the notice to this Court.

A defendant perfects his appeal by timely filing a written notice of appeal with the trial court clerk. *See* TEX. R. APP. P. 25.2(c). To be timely, the notice of appeal must be filed within thirty days after the date sentence was imposed or within ninety

days after sentencing if the defendant timely filed a motion for new trial. *See* TEX. R. APP. P. 26.2(a). In the absence of a timely perfected notice of appeal, the Court must dismiss the appeal. *Ex parte Castillo*, 369 S.W.3d 196, 198 (Tex. Crim. App. 2012); *Slaton v. State*, 981S.W.2d 208, 210 (Tex. Crim. App. 1998).

In this case, the trial court entered judgment on February 21, 2019. Appellant did not file a motion for new trial; therefore, his notice of appeal was due on March 25, 2019. Appellant, however, filed his notice of appeal on June 11, 2020, outside the time allowed by the rules of appellate procedure.

Because the notice of appeal is untimely, we dismiss this appeal for want of jurisdiction.

Do Not Publish
TEX. R. APP. P. 47.2(b)

/Ken Molberg//
KEN MOLBERG
JUSTICE

200671f.u05



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

KELVIN JONES, Appellant

No. 05-20-00671-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 363rd Judicial
District Court, Dallas County, Texas
Trial Court Cause No. F14-76336-W.
Opinion delivered by Justice
Molberg. Justices Schenck and
Nowell participating.

Based on the Court's opinion of this date, we **DISMISS** this appeal.

Judgment entered this 22nd day of July, 2020.