COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH

NO. 02-11-00157-CV

HUNG THIEN — APPELLANT

V.

JOHN BASWETI — APPELLEE

FROM THE 67TH DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION[1]

Appellant Hung Thien attempts to appeal from a final judgment in favor of Appellee John Basweti. The trial court signed the judgment on March 30, 2011. Thien did not file a post-judgment motion extending the deadline to file the notice of appeal, so the notice of appeal was due by April 29, 2011, but was filed on May 2, 2011. *See* Tex. R. App. P. 26.1(a)(1)–(4).

[1]*See* Tex. R. App. P. 47.4.

Because Thien's notice of appeal appeared to be untimely, we notified him on May 10, 2011, of our concern that this court may not have jurisdiction over the appeal. We informed him that unless he or any party desiring to continue the appeal filed with the court, on or before May 20, 2011, a response showing a reasonable explanation for the late filing of the notice of appeal or advising the court that the notice of appeal was properly mailed on or before the due date, the appeal would be dismissed for want of jurisdiction. *See* Tex. R. App. P. 9.2(b), 10.5(b), 26.3(b), 42.3(a). We have received no response.

The times for filing a notice of appeal are jurisdictional in this court, and absent a timely filed notice of appeal or an extension request, we must dismiss the appeal. *See* Tex. R. App. P. 25.1(b); *Verburgt v. Dorner*, 959 S.W.2d 615, 617 (Tex. 1997). Because Thien did not timely file his notice of appeal, we dismiss the appeal for want of jurisdiction. *See* Tex. R. App. P. 42.3(a), 43.2(f).

PER CURIAM

PANEL: MEIER, J.; LIVINGSTON, C.J.; and GABRIEL, J.

DELIVERED: July 21, 2011