

COURT OF APPEALS OF THE TENTH APPELLATE DISTRICT OF TEXAS

Cody Ray Rockey v. The State of Texas

No. 10-26-00094-CR · No. No. 10-26-00094-CR · Decided March 19, 2026

SUMMARY

The Texas Tenth Court of Appeals dismissed Cody Ray Rockey's criminal appeal for want of jurisdiction because his notice of appeal was filed outside the applicable 90-day deadline. The court applied Texas Rule of Appellate Procedure 26.2(a)(2), which governs appeals when a motion for new trial is filed.

OPINION

PER CURIAM.

Court of Appeals Tenth Appellate District of Texas 10-26-00094-CR Cody Ray Rockey, Appellant v. The State of Texas, Appellee On appeal from the County Court at Law of Navarro County, Texas Judge Ernie Armstrong, presiding Trial Court Cause No. C42965-CR CHIEF JUSTICE JOHNSON delivered the opinion of the Court. MEMORANDUM OPINION Appellant appeals from a judgment for which his sentences were imposed on November 19, 2025 and signed by the trial court on that same date.

Trial counsel for Appellant filed a motion for new trial on December 4, 2025. Trial counsel for Appellant filed a notice of appeal in the trial court on March 2, 2026, which was not received by this Court until March 12, 2026.

As applicable to this proceeding, the notice of appeal must have been filed within 90 days after the sentence is imposed or suspended in open court because his counsel filed a motion for new trial. TEX. R. APP. P. 26.2(a)(2).

The notice of appeal was not timely. Accordingly, this appeal is dismissed for want of jurisdiction. See TEX. R. APP. P. 26.2(a)(2). MATT JOHNSON Chief Justice OPINION DELIVERED and FILED: March 19, 2026 Before Chief Justice Johnson, Justice Smith, and Justice Harris Appeal dismissed Do not publish CR25 Rockey v. State Page 2