

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Brelin Keithian Coleman v. the State of Texas

Coleman v. State · No. Nos. 01-26-00179-CR, 01-26-00180-CR · Decided April 21, 2026

SUMMARY

The First Court of Appeals of Texas dismissed two criminal appeals for lack of jurisdiction because the appellant filed his notices of appeal after the applicable deadline and did not file timely motions for new trial. The court also dismissed any pending motions as moot.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Gunn; Justice Caughey; Justice Morgan
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	April 21, 2026
DOCKET	Nos. 01-26-00179-CR, 01-26-00180-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appellant sought review of jury convictions for sexual assault and burglary with intent to commit another felony, but filed notices of appeal several months after sentencing.
STANDARD OF REVIEW	The court determined its appellate jurisdiction based on the timeliness of the notices of appeal.
PRECEDENTIAL VALUE	Unpublished and designated not for publication under Texas Rule of Appellate Procedure 47.2(b).
PARTIES	Brelin Keithian Coleman v. The State of Texas

TOPICS

[appellate jurisdiction](#)[appellate procedure](#)[final judgment rule](#)[criminal procedure](#)

PRACTICE AREAS

[Criminal procedure](#)[Appellate procedure](#)

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction when the notices of appeal were filed after the deadline prescribed by Texas Rule of Appellate Procedure 26.2(a).
2. Whether the appeals should be dismissed because no timely notice of appeal was filed.

HOLDINGS

1. A criminal appeal must be dismissed for lack of jurisdiction when the defendant does not file a timely notice of appeal and the record contains no timely motion for new trial extending the filing deadline.

KEY QUOTATIONS

“Without a timely-filed notice of appeal, we lack jurisdiction.” (2)

“Accordingly, we dismiss these appeals for lack of jurisdiction.” (2)

FACTUAL BACKGROUND

Following a jury trial, Coleman was convicted of sexual assault in trial-court cause 1824733 and burglary with intent to commit another felony in cause 1824734. He received concurrent ten-year sentences, and the trial court imposed sentence on September 25, 2025. Coleman did not file notices of appeal until February 11, 2026, and the records contained no motions for new trial.

PROCEDURAL HISTORY

After a jury trial, Coleman was convicted in two Harris County district-court causes and sentenced to ten years' imprisonment in each, with the sentences running concurrently. The trial court certified that the cases were not plea-bargain cases and that Coleman had the right to appeal. Coleman filed notices of appeal on February 11, 2026, although the applicable deadline was October 26, 2025. After the appellate court notified him of the jurisdictional defect and requested a response, none was filed, and the court dismissed both appeals.

DISPOSITION

dismissed

CASES CITED

- Slaton v. State, 981 S.W.2d 208, 209 (Tex. Crim. App. 1998)