



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-1349-12

DAMIEN HERNANDEZ CORTEZ, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE SEVENTH COURT OF APPEALS
POTTER COUNTY**

JOHNSON, J., delivered the opinion of the unanimous Court.

OPINION

A jury convicted appellant of fraudulent possession of identifying information, found two enhancement paragraphs in the indictment to be true, and assessed appellant's punishment at 50 years' incarceration. Appellant filed a timely notice of appeal, but the record that was transmitted to the court of appeals did not contain a certification of the defendant's right of appeal. Because of the absence of the certification, the court of appeals dismissed the appeal pursuant to Rule of