



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

ADAM JACKSON,	§	No. 08-16-00162-CR
	§	
Appellant,	§	Appeal from the
	§	
V.	§	210th District Court
	§	
THE STATE OF TEXAS,	§	of El Paso County, Texas
	§	
Appellee.	§	(TC# 20160D02003)
	§	
	§	

MEMORANDUM OPINION

Adam Jackson attempts to appeal his conviction of murder. Appellant waived his right to a jury trial and entered a negotiated plea of guilty. The trial court found Appellant guilty, and in accordance with the plea bargain, sentenced him to imprisonment for a term of thirty years. We dismiss the appeal because the trial court's certification reflects that Appellant has no right to appeal.

An appeal must be dismissed unless a trial court's certification showing that the defendant has the right of appeal has been made part of the record. TEX.R.APP.P. 25.2(d). The trial court's certification states that this was "a plea-bargain case, and the defendant has NO right of appeal." We notified Appellant's counsel that the trial court's certification showed that this was a plea-bargain case for which Appellant had no right of appeal, and asked him to file a

response. Counsel filed a detailed response explaining that he filed a notice of appeal to protect Appellant's right to appeal after being informed that Appellant wished to appeal and his family had hired appellate counsel from outside of El Paso.¹ According to appellate counsel, the trial court conducted a hearing on Appellant's right to appeal, and the court explained to Appellant and his family that Appellant had entered a negotiated guilty plea and he was required to obtain permission of the court in order to appeal. Counsel concedes that the trial court has not given Appellant permission to appeal. We have reviewed the record and do not find any rulings on pretrial motions which could be appealed even without the trial court's permission. *See* TEX.R.APP.P. 25.2(a)(2)(A). Because the trial court has certified that Appellant has no right of appeal, and the record supports the certification, we are required to dismiss this appeal. *See* TEX.R.APP.P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex.Crim.App. 2006). The appeal is dismissed.

October 7, 2016

YVONNE T. RODRIGUEZ, Justice

Before McClure, C.J., Rodriguez, and Hughes, JJ.

(Do Not Publish)

¹ The attorney purportedly retained by Appellant's family has not made an entry of appearance in the case.