

Opinion filed July 13, 2017



In The
Eleventh Court of Appeals

Nos. 11-17-00174-CR & 11-17-00175-CR

KELLY MARIE MOORE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 104th District Court
Taylor County, Texas
Trial Court Cause Nos. 20613B & 20692B**

MEMORANDUM OPINION

Appellant, Kelly Marie Moore, entered into plea agreements with the State and pleaded guilty to two offenses: assault family violence and possession of methamphetamine. In accordance with the terms of the plea agreements, the trial court assessed Appellant's punishment at confinement for seven years for assault family violence and ten years for possession of methamphetamine, to run concurrently. Appellant filed a pro se notice of appeal. We dismiss the appeals.

This court notified Appellant by letter that we had received information from the trial court that these are plea bargain cases in which Appellant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2), (d). We requested that Appellant respond and show grounds to continue the appeals. Appellant has filed a response in which she asserts that she has a mental illness and that she was unlawfully pressured into signing the plea papers.

Rule 25.2(a)(2) provides that, in a plea bargain case in which the punishment does not exceed the punishment agreed to in the plea bargain, “a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court’s permission to appeal.” Rule 25.2 does not permit the voluntariness of a plea to be raised on direct appeal in a plea bargain case. *Cooper v. State*, 45 S.W.3d 77, 83 (Tex. Crim. App. 2001). The documents on file in each of these appeals reflect that Appellant entered into a plea bargain, that her punishment was assessed in accordance with the plea bargain, and that Appellant waived her right to appeal. The trial court certified in each case that Appellant has no right of appeal. The trial court’s certifications were signed by Appellant, Appellant’s counsel, and the judge of the trial court. The documents on file in this court support the trial court’s certifications. *See Dears v. State*, 154 S.W.3d 610, 613–14 (Tex. Crim. App. 2005). Accordingly, we must dismiss these appeals without further action. TEX. R. APP. P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Accordingly, these appeals are dismissed.

July 13, 2017

PER CURIAM

Do not publish. *See* TEX. R. APP. P. 47.2(b).

Panel consists of: Wright, C.J.,
Willson, J., and Bailey, J.