

Opinion issued October 11, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-12-00602-CR

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CHARLES STEVE LANE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 228th District Court
Harris County, Texas
Trial Court Cause Nos. 1340014 & 1340015**

MEMORANDUM OPINION

Appellant, Charles Steve Lane, pleaded guilty to the state jail felony offense of debit card abuse¹ in trial court cause 1340014 and the state jail felony offense of

¹ See TEX. PENAL CODE ANN. § 32.31 (West 2011).

unauthorized use of a vehicle² in trial court cause 1340015. The trial court found appellant guilty of each charge and, in accordance with the terms of appellant's plea agreement with the State, sentenced appellant to confinement for eight months in the State Jail Division of the Texas Department of Criminal Justice. Appellant filed a *pro se* notice of appeal. We dismiss the appeal.

In a plea-bargained case, a defendant may only appeal those matters that were raised by written motion filed and ruled on before trial or after getting the trial court's permission to appeal. TEX. CODE CRIM. PROC. ANN. art. 44.02 (West 2006); TEX. R. APP. P. 25.2(a)(2). An appeal must be dismissed if a certification showing that the defendant has the right of appeal has not been made part of the record. TEX. R. APP. P. 25.2(d).

Here, the trial court's certifications are included in the records on appeal. *See id.* The trial court's certifications state that these are plea-bargained cases and the defendant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2). The records support the trial court's certifications. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005). Because appellant has no right of appeal, we must dismiss these appeals. *See Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006) ("A court of appeals, while having jurisdiction to ascertain whether an appellant who plea-bargained is permitted to appeal by Rule 25.2(a)(2), must

² *See* TEX. PENAL CODE ANN. § 31.07 (West 2011).

dismiss a prohibited appeal without further action, regardless of the basis for the appeal.”).

Accordingly, we dismiss these appeals for want of jurisdiction. We dismiss all pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Massengale, and Brown.

Do not publish.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