

Dismissed and Memorandum Opinion filed July 29, 2010.



In The

**Fourteenth Court of Appeals**

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**NO. 14-10-00613-CR**

**NO. 14-10-00614-CR**

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**DERRICK SCOTT a/k/a/ DERRICK JEVON SCOTT, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 263rd District Court  
Harris County, Texas  
Trial Court Cause Nos. 1226076 & 1225952**

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**MEMORANDUM OPINION**

Appellant entered guilty pleas to two aggravated robbery charges, both with deadly weapon findings. In accordance with the terms of plea bargain agreements with the State, the trial court sentenced appellant on January 26, 2010, to confinement for ten years in the Institutional Division of the Texas Department of Criminal Justice in each case, with the sentences to be served concurrently. No motion for new trial was filed in either case. Appellant filed an untimely pro se notice of appeal of both cases. We dismiss the appeals.

Appellant's pro se notice of appeal was not filed until June 24, 2010, almost five months after sentencing. A defendant's notice of appeal must be filed within thirty days after sentence is imposed when the defendant has not filed a motion for new trial. *See* Tex. R. App. P. 26.2(a)(1). A notice of appeal which complies with the requirements of Rule 26 is essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

In addition, the trial court entered a certification of the defendant's right to appeal in each case which the court certified that each is a plea bargain case, and the defendant has no right of appeal. *See* Tex. R. App. P. 25.2(a)(2). The trial court's certifications are included in the records on appeal. *See* Tex. R. App. P. 25.2(d). The records support the trial court's certifications. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

Accordingly, we dismiss the appeals.

PER CURIAM

Panel consists of Chief Justice Hedges and Justice Yates and Boyce.  
Do Not Publish — Tex. R. App. P. 47.2(b).