

Dismissed and Memorandum Opinion filed November 30, 2023



In The

Fourteenth Court of Appeals

NO. 14-23-00535-CR

DONALD RAY JOHNSON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 1765911**

MEMORANDUM OPINION

Appellant entered a guilty plea to the felony offense of driving while intoxicated, third or more. *See* Tex. Penal Code Ann. §§ 49.04, .09(b). In accordance with the terms of a plea-bargain agreement with the State, the trial court assessed punishment at confinement for six years. We dismiss the appeal.

The trial court signed a certification of the defendant's right to appeal in which the court certified that this 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 certification is

included in the record on appeal. *See* Tex. R. App. P. 25.2(d). The record supports the trial court's certification. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005). On October 18, 2023, this court notified the parties that the appeal would be dismissed for lack of jurisdiction unless a party demonstrated that the court has jurisdiction. No response has been received.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Bourliot, Zimmerer, and Spain.

Do Not Publish — Tex. R. App. P. 47.2(b)