

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00060-CR

GEORGE LORRAINE HICKS, JR., Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 221st District Court
Montgomery County, Texas
Trial Cause No. 09-06-05376-CR**

MEMORANDUM OPINION

On January 13, 2010, the trial court sentenced George Lorraine Hicks Jr. on a conviction for driving while intoxicated. Hicks filed a notice of appeal on February 3, 2010. The trial court entered 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 district clerk has provided the trial court's certification to the court of appeals. On February 18, 2010, we notified the parties that we would dismiss the appeal unless the appellant established grounds for continuing the appeal. No response has been filed. The appellant filed a response but failed to establish

that the trial court's certification should be amended. Because the record does not contain a certification that shows the defendant has the right of appeal, we must dismiss the appeal. *See* TEX. R. APP. P. 25.2(d). Accordingly, we dismiss the appeal.

APPEAL DISMISSED.

CHARLES KREGER
Justice

Opinion Delivered March 31, 2010
Do Not Publish

Before McKeithen, C.J., Kreger and Horton, JJ.