

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00465-CR

BRAD ELLIOT GAGE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the Criminal District Court
Jefferson County, Texas
Trial Cause No. 10-08507**

MEMORANDUM OPINION

On September 27, 2010, the trial court sentenced Brad Elliot Gage on a conviction for possession of a controlled substance. Gage filed a notice of appeal on October 5, 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 October 14, 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. 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 November 10, 2010
Do not publish

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