

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-11-00008-CR**

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**MARK EZEKIEL CANE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court  
Jefferson County, Texas  
Trial Cause No. 10-08453**

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**MEMORANDUM OPINION**

On November 30, 2010, the trial court sentenced Mark Ezekiel Cane on a conviction for possession of marijuana. Cane filed a notice of appeal on December 16, 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 January 6, 2011, 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.

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CHARLES KREGER  
Justice

Opinion Delivered February 2, 2011  
Do not publish

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