



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-08-009-CR

CHRISTOPHER KERRY NORTON

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 213TH DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹

On September 15, 2008, we abated this appeal because the original certification of appellant's right of appeal was defective.² We ordered the trial

¹ [See](#) Tex. R. App. P. 47.4.

² [Although](#) the trial court's certification of appellant's right to appeal stated that this case "is not a plea-bargained case and the defendant has the right of appeal," the record shows that appellant pled guilty pursuant to a plea bargain. *See* Tex. R. App. P. 25.2(a)(2); *Shankle v. State*, 119 S.W.3d 808, 812–14 (Tex. Crim. App. 2003); *Carender v. State*, 155 S.W.3d 929, 930–31 (Tex. App.—Dallas 2005, no pet.) (applying *Shankle* to case in which State

court to file an amended certification of appellant's right of appeal. After receiving an amended notice of appeal from the trial court indicating that this case "is a plea-bargain case, and [appellant] has NO right of appeal," we reinstated the appeal and sent appellant a letter giving him the opportunity to show grounds why the appeal should not be dismissed based upon the new certification. See Tex. R. App. P. 25.2(d), 43.2(f). We have not received a response showing grounds for continuing the appeal.

Therefore, in accordance with the amended trial court certification, we dismiss this appeal. See Tex. R. App. P. 25.2(d), 43.2(f); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006); *Jackson v. State*, 168 S.W.3d 239, 243 (Tex. App.—Fort Worth 2005, no pet.).

PER CURIAM

PANEL: LIVINGSTON, J.; CAYCE, C.J.; and MCCOY, J.

DO NOT PUBLISH
Tex. R. App. P. 47.2(b)

DELIVERED: November 20, 2008

waived enhancement paragraphs, thus reducing the maximum punishment from ninety-nine years or life (enhanced first degree felony) to twenty years (second degree felony)).