



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

**NO. 02-12-00253-CR**

LAUREN NICHOLE RICHARDS

APPELLANT

V.

THE STATE OF TEXAS

STATE

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FROM CRIMINAL DISTRICT COURT NO. 4 OF TARRANT COUNTY  
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**MEMORANDUM OPINION<sup>1</sup>**  
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Pursuant to a plea bargain, Appellant Lauren Nichole Richards pled true to the State's petition to proceed to the adjudication of her guilt for possession of less than one gram of a controlled substance—heroin, a state jail felony,<sup>2</sup> and she also waived

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<sup>1</sup>See Tex. R. App. P. 47.4.

<sup>2</sup>See Tex. Health & Safety Code Ann. §§ 481.102(2) (providing heroin is a penalty group 1 substance), .115(a)–(b) (providing knowing or intentional possession of less than one gram of a penalty group 1 substance absent valid prescription or order is a state jail felony) (West 2010).

various rights, including her right to appeal. The trial court sentenced her to the agreed-upon punishment of seven months' confinement in state jail.

Appellant filed a timely notice of appeal on May 25, 2012. The trial court's certification of Appellant's right of appeal states that this is "a plea-bargain[ed] case, and the defendant has NO right of appeal." Accordingly, we sent a letter to Appellant's retained counsel requesting a response by August 30, 2012, showing grounds for continuing the appeal. We have not received a response.

Despite the trial court's failure to indicate Appellant's waiver on its certification, the signed plea papers reveal that Appellant waived her right of appeal as part of a negotiated plea bargain at the time of adjudication.<sup>3</sup> Based on her waiver, we dismiss this appeal.<sup>4</sup>

PER CURIAM

PANEL: DAUPHINOT, GARDNER, and WALKER, JJ.

DO NOT PUBLISH  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

DELIVERED: September 20, 2012

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<sup>3</sup>See *Blanco v. State*, 18 S.W.3d 218, 220 (Tex. Crim. App. 2000); see also *Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

<sup>4</sup>See Tex. R. App. P. 25.2(d), 43.2(f); *Blanco*, 18 S.W.3d at 220.