



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

NO. 02-12-00336-CR

David Lee Hayman	§	From the 30th District Court
	§	of Wichita County (45,968-A)
v.	§	December 21, 2012
	§	Per Curiam
The State of Texas	§	(nfp)

JUDGMENT

This court has considered the record on appeal in this case and holds that the appeal should be dismissed. It is ordered that the appeal is dismissed for want of jurisdiction.

SECOND DISTRICT COURT OF APPEALS

PER CURIAM



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

NO. 02-12-00536-CR

EFRAIN CARRILLO GARCIA A/K/A
GARCIA EFRAIN

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 372ND DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Efrain Carrillo Garcia a/k/a Garcia Efrain attempts to appeal from his conviction for the sexual assault of a child. See Tex. Penal Code Ann. § 22.011(a)(2) (West 2011). The trial court's certification of Garcia's right to appeal states that this "is a plea bargain case, and the defendant has NO right of

¹See Tex. R. App. P. 47.4.

appeal” and that “the defendant has waived the right of appeal.” See Tex. R. App. P. 25.2(a)(2).

On November 14, 2012, we notified Garcia’s retained trial counsel of Garcia’s pro se notice of appeal, that the certification indicating that Garcia had no right to appeal had been filed in this court, and that this appeal could be dismissed unless Garcia or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal on or before November 26, 2012. See Tex. R. App. P. 25.2(d). To date, we have received no response showing any grounds for continuing the appeal. Rule 25.2(a)(2) limits the right of appeal in a plea bargain case to matters that were raised by written motion filed and ruled on before trial or to cases in which the appellant obtained the trial court’s permission to appeal. Tex. R. App. P. 25.2(a)(2). In the present case, the trial court’s certification states that Garcia has no right to appeal and that he has waived his right to appeal. Accordingly, we dismiss this appeal. See Tex. R. App. P. 25.2(d), 43.2(f).

PER CURIAM

PANEL: MEIER, J.; LIVINGSTON, C.J.; and GABRIEL, J.

DO NOT PUBLISH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

DELIVERED: December 21, 2012