



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

**NO. 02-13-00420-CR**

WILLIAM JAMES MCKEE

APPELLANT

V.

THE STATE OF TEXAS

STATE

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FROM THE 297TH DISTRICT COURT OF TARRANT COUNTY

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**MEMORANDUM OPINION<sup>1</sup>**

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On August 22, 2013, as part of a plea-bargain agreement, Appellant William James McKee pleaded guilty to assault of a family member. See Tex. Penal Code Ann. § 22.01 (West 2011). In accordance with the agreement, the trial court sentenced Appellant to four years' confinement. The trial court certified that Appellant had no right to appeal. See Tex. R. App. P. 25.2(a)(2).

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

On September 9, 2013, Appellant filed a pro se notice of appeal in the trial court. See Tex. R. App. P. 25.2(c). On September 17, we notified Appellant and Appellant's trial counsel that Appellant had filed a pro se notice of appeal, that the trial court certified that Appellant had no right to appeal, and that we would dismiss the appeal unless Appellant or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal no later than September 27. See Tex. R. App. P. 25.2(d), 44.3.

Appellant responded and asserted that counsel's ineffective assistance at trial was sufficient grounds to continue his appeal. However, there is no showing that Appellant's sentence exceeded the State's recommendation, that Appellant desires to appeal a matter that was raised by written motion filed and ruled on before trial, or that the trial court granted Appellant permission to appeal. See Tex R. App. P. 25.2(a)(2). Thus, in accordance with the trial court's 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); *Furlow v. State*, No. 02-11-00482-CR, 2011 WL 5607624, at \*1 (Tex. App.—Fort Worth Nov. 17, 2011, no pet.) (mem. op., not designated for publication).

PER CURIAM

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

DO NOT PUBLISH  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

DELIVERED: October 17, 2013