



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-19-00149-CR

ANTWONE MONTRELL FREEMAN, Appellant

v.

THE STATE OF TEXAS

On Appeal from County Criminal Court No. 1
Tarrant County, Texas
Trial Court No. 1563854

Before Gabriel, Kerr, and Birdwell, JJ.
Memorandum Opinion by Justice Gabriel

MEMORANDUM OPINION

Appellant Antwone Montrell Freeman attempts to appeal from his assault conviction. Because Freeman pleaded guilty under a plea-bargain agreement, which the trial court followed, and because the trial court certified Freeman had no right to appeal, we dismiss.

Under a plea-bargain agreement with the State, Freeman pleaded guilty to assault causing bodily injury to a family member. *See* Tex. Penal Code Ann. § 22.01(a)(1). The trial court found Freeman guilty of the offense and, following the terms of the plea agreement, sentenced him to thirty days in jail. Freeman filed a notice of appeal; the trial court certified that he had pleaded guilty under a plea-bargain agreement and that he had no right to appeal. *See* Tex. Code Crim. Proc. Ann. art. 44.02; Tex. R. App. P. 25.2(a)(2). We notified Freeman and his court-appointed counsel of the certification and warned that we would dismiss the appeal unless we received a response showing grounds to continue it. *See* Tex. R. App. P. 25.2(d), 44.3. We received no response.

The right to appeal a conviction arising from a plea-bargain agreement is limited to matters that were raised by written motion filed and ruled upon before trial or to cases in which the appellant obtained the trial court's permission to appeal. *See* Tex. Code Crim. Proc. Ann. art. 44.02; Tex. R. App. P. 25.2(a)(2). The trial court's certification in this case does not show that Freeman was granted permission to appeal, nor does the record indicate that Freeman intends to challenge a ruling on a

written motion filed and ruled on before he pleaded guilty. Thus, we dismiss Freeman's appeal in accordance with the trial court's certification. *See* Tex. R. App. P. 25.2(d), 43.2(f).

/s/ Lee Gabriel

Lee Gabriel
Justice

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Tex. R. App. P. 47.2(b)

Delivered: September 19, 2019