



**In The
Court of Appeals
Seventh District of Texas at Amarillo**

No. 07-16-00076-CR

JAY DEE BRANSON, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the County Court at Law No. 2
Potter County, Texas
Trial Court No. 142709, Honorable Pamela Cook Sirmon, Presiding

June 15, 2016

MEMORANDUM OPINION

Before QUINN, C.J., and CAMPBELL and HANCOCK, JJ.

Appellant, Jay Dee Branson, seeks to appeal a plea-bargained judgment of conviction for the offense of driving while intoxicated.¹ In accordance with the terms of the plea bargain, appellant was sentenced to 93 days confinement in Potter County Jail. Because appellant has no right of appeal, we will dismiss.

An appeal must be dismissed unless a trial court's certification showing that the defendant has the right of appeal has been made part of the record. TEX. R. APP. P.

¹ TEX. PENAL CODE ANN. § 49.09(a) (West Supp. 2015).

25.2(d). In this case, the Trial Court's Certification of Defendant's Right of Appeal indicates that this was "a plea-bargain case, and the defendant has NO right to appeal" and "the defendant has waived the right to appeal." Based upon our review of the record, we find that appellant voluntarily, knowingly, and intelligently entered into a plea bargain and that the terms of this plea bargain were accepted by the trial court. See *Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

By letter dated May 13, 2016, we notified appellant that the trial court's certification showed that this was a plea-bargain case for which appellant had no right of appeal and that appellant waived the right to appeal. We advised appellant that the appeal must be dismissed unless an amended certification reflecting that appellant has the right of appeal is received or appellant can demonstrate other grounds for continuing the appeal. Appellant was given until May 23 to file a response. Appellant has not filed a response or an amended certification to date.

Because appellant has no right of appeal, we must dismiss this appeal. See TEX. R. APP. P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006). Accordingly, we dismiss the appeal for want of jurisdiction. TEX. R. APP. P. 42.3(a).

Per Curiam

Do not publish.