



**IN THE
TENTH COURT OF APPEALS**

No. 10-11-00076-CR

ANTHONY J. SWEIGART,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 54th District Court
McLennan County, Texas
Trial Court No. 2010-39-C2**

MEMORANDUM OPINION

Appellant appeals from a plea-bargained judgment of conviction and state-jail sentence of two years, after which he was placed on five-years' probation (community supervision), which was revoked. The Clerk of this Court warned Appellant that because the trial court noted on the certification of defendant's right of appeal that he had no right of appeal and Appellant had signed a waiver of his right to appeal, the Court might dismiss the appeal unless, within 21 days, we received a certification stating that Appellant has a right to appeal or a response was filed showing grounds for

continuing the appeal. *See* TEX. R. APP. P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Appellant has responded, but his response does not overcome his waiver of his right to appeal, nor has the trial court issued a new certification that permits Appellant to appeal. This appeal is dismissed. *See Chavez*, 183 S.W.3d at 680; *Davis v. State*, 205 S.W.3d 606, 607 (Tex. App.—Waco 2006, no pet.).

REX D. DAVIS
Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Dismissed

Opinion delivered and filed April 27, 2011

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