

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-12-00348-CR**

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**Richard Ray Hale, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF BELL COUNTY, 426TH JUDICIAL DISTRICT  
NO. 65126, HONORABLE MARTHA J. TRUDO, JUDGE PRESIDING**

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**MEMORANDUM OPINION**

Appellant Richard Ray Hale pleaded nolo contendere to the offense of aggravated sexual assault of a child and was sentenced to twenty years' imprisonment. This appeal followed. Hale's court-appointed attorney filed a motion to withdraw accompanied by a brief concluding that the appeal is frivolous and without merit. *See Anders v. California*, 386 U.S. 738, 744 (1967). In response, the State filed a motion to dismiss, asserting that Hale had no right of appeal and that the district court's certification indicating otherwise was defective. Finding that the record was inconclusive concerning whether Hale had a right of appeal, we abated the appeal and remanded the cause to the district court for entry of an amended certification. *See Hale v. State*, No. 03-12-00348-CR, 2013 Tex. App. LEXIS 1033, at \*2-5 (Tex. App.—Austin Jan. 31, 2013) (per curiam) (not designated for publication).

We have now received from the district court an amended certification confirming that this is a plea-bargain case and that Hale has no right of appeal. Accordingly, we grant the State's motion and dismiss the appeal. *See* Tex. R. App. P. 25.2(a)(2), (d). Counsel's motion to withdraw is dismissed as moot.

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Bob Pemberton, Justice

Before Justices Puryear, Pemberton and Rose

Dismissed

Filed: March 7, 2013

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