

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-16-00102-CR

Miguel Medina Pastenes, Appellant

v.

State of Texas, Appellee

**FROM THE COUNTY COURT AT LAW NO. 2 OF WILLIAMSON COUNTY
NO. 15-1167-CC2, HONORABLE DAVID HODGES, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Miguel Medina Pastenes seeks to appeal the trial court's order denying his application for writ of habeas corpus. *See* Tex. Code Crim. Proc. art. 11.072, § 8. However, the clerk's record does not contain the necessary trial court certification of Pastenes's right of appeal. *See* Tex. R. App. P. 25.2(a)(2) (requiring trial court to enter certification of defendant's right of appeal "each time it enters a judgment of guilt or other appealable order"), (d) (requiring record to include trial court's certification).

Accordingly, we abate this appeal and remand the cause to the trial court for entry of a certification of Pastenes's right of appeal from the order denying habeas corpus relief. *See* Tex. R. App. P. 25.2(a)(2), 44.4. A supplemental clerk's record containing the trial court's certification shall be filed with this Court no later than March 17, 2017. *See* Tex. R. App. P. 34.5(c)(2).

It is ordered on February 15, 2017.

Before Chief Justice Rose, Justices Goodwin and Bourland

Abated and Remanded

Filed: February 15, 2017

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