



NUMBER 13-12-00058-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

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OMEGA JABBAR MANNING,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

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On appeal from the 258th District Court  
of Polk County, Texas.

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## MEMORANDUM OPINION

Before Chief Justice Valdez and Justices Rodriguez and Garza  
Memorandum Opinion Per Curiam

Appellant, Omega Jabbar Manning, attempts to appeal his conviction for murder. The trial court has certified that this “is a plea-bargain case, and the defendant has NO right of appeal, except as to punishment.” See TEX. R. APP. P. 25.2(a)(2). The judgment indicates that the terms of the plea bargain were that the Court would assess

punishment at no more than 70 years and no less than 25 years confinement with both sides being allowed to present evidence at the punishment hearing. Appellant was sentenced to 70 years in the Texas Department of Criminal Justice.

On March 20, 2012, this Court notified appellant's counsel of the trial court's certification and ordered counsel to: (1) review the record; (2) determine whether appellant has a right to appeal; and (3) forward to this Court, by letter, counsel's findings as to whether appellant has a right to appeal, or, alternatively, advise this Court as to the existence of any amended certification.

On April 17, 2012, counsel filed a letter brief with this Court. Counsel reviewed the record and responded that appellant did not get permission from the trial court to appeal.

The Texas Rules of Appellate Procedure provide that an appeal must be dismissed if the trial court's certification does not show that the defendant has the right of appeal. TEX. R. APP. P. 25.2(d); see TEX. R. APP. P. 37.1, 44.3, 44.4. Accordingly, this appeal is DISMISSED. Any pending motions are dismissed as moot.

PER CURIAM

Do not publish.  
See TEX. R. APP. P. 47.2(b).  
Delivered and filed the  
24th day of May, 2012.