



NUMBER 13-22-00409-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

CHRISTOPHER JOSEPH ALEMAN,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 24th District Court
of Victoria County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Benavides and Tijerina
Memorandum Opinion by Justice Tijerina**

Appellant Christopher Joseph Aleman attempts to appeal an order of deferred adjudication for the offense of possession of a controlled substance in trial court cause number 22-04-33647-A in the 24th District Court of Victoria County, Texas. See TEX. HEALTH & SAFETY CODE ANN. § 481.115(b). The trial court has certified that the defendant does not have the right to appeal. See TEX. R. APP. P. 25.2(a)(2). On September 7, 2022,

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 September 19, 2022, counsel filed a letter brief advising the Court that, based on the record and the applicable law, appellant does not have the right 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. See *id.* R. 25.2(d), 37.1, 44.3, 44.4; *Dears v. State*, 154 S.W.3d 610, 613 (Tex. Crim. App. 2005); *Pena v. State*, 323 S.W.3d 522, 525–27 (Tex. App.—Corpus Christi—Edinburg 2010, no pet.); *Ernst v. State*, 159 S.W.3d 668, 670 (Tex. App.—Corpus Christi—Edinburg 2005, no pet.). Accordingly, we dismiss this appeal for lack of jurisdiction.

JAIME TIJERINA
Justice

Do not publish.
TEX. R. APP. P. 47.2 (b).

Delivered and filed on the
29th day of September, 2022.