

**NO. 12-10-00144-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

*NICHOLAS WOOTEN,  
APPELLANT*

§ *APPEAL FROM THE 114TH*

*V.*

§ *JUDICIAL DISTRICT COURT OF*

*THE STATE OF TEXAS,  
APPELLEE*

§ *SMITH COUNTY, TEXAS*

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*MEMORANDUM OPINION  
PER CURIAM*

Appellant pleaded true to the allegations in four paragraphs of the State's application to proceed to final adjudication, and the trial court assessed punishment at ten years of imprisonment for the underlying offense (burglary of a habitation). We have received the trial court's certification showing that Appellant waived his right to appeal. *See* TEX. R. APP. P. 25.2(d). The certification is signed by Appellant and his counsel. Appellant's waiver of his right to appeal is included in the record and is signed by Appellant, his counsel, and the trial court. Accordingly, the appeal is *dismissed* for want of jurisdiction.

Opinion delivered July 21, 2010.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(DO NOT PUBLISH)