



COURT OF APPEALS  
EIGHTH DISTRICT OF TEXAS  
EL PASO, TEXAS

ROBERT ANTHONY CANTU, § No. 08-12-00348-CR  
§  
Appellant, § Appeal from the  
§ 243<sup>rd</sup> Judicial District Court  
§  
v. § of El Paso County, Texas  
§  
THE STATE OF TEXAS, § (TC# 20090D05872)  
§  
Appellee. §

## MEMORANDUM OPINION

Appellant was convicted of sexually assaulting a child and moved for a new trial. Following the trial court's denial of his motion, Appellant appealed from this order and the judgment convicting him. The Clerk of this Court twice notified Appellant that the record does not include a certification of his right of appeal. The notices instructed Appellant to remedy this defect by filing the required certification with the trial court clerk and stated that if he failed to do so, the appeal would be dismissed. The trial court clerk has since informed us that the required certification has not been filed with her.

Texas Rule of Appellate Procedure 25.2(d) provides that an appellate court must dismiss an appeal without further action if the record does not contain a certification showing the defendant's right of appeal. TEX.R.APP.P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680

(Tex.Crim.App. 2006); *see Dears v. State*, 154 S.W.3d 610, 613 (Tex.Crim.App. 2005). As stated above, Appellant has not filed the required certification. Accordingly, the appeal is dismissed.

March 13, 2013

YVONNE T. RODRIGUEZ, Justice

Before McClure, C.J., Rivera, and Rodriguez, JJ.

(Do Not Publish)