



COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

JESSE RAMIREZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

§

No. 08-21-00152-CR

§

Appeal from the

§

41st District Court

§

of El Paso County, Texas

§

(TC# 20200D05453)

§

MEMORANDUM OPINION

Appellant, Jesse Ramirez, has filed an appeal for his August 6, 2021, deferred adjudication judgment for aggravated assault. We dismiss this appeal because the trial court properly certified Appellant does not have a right to appeal.

Rule 25.2(a)(2) of the Texas Rules of Appellate Procedure requires that the trial court enter its certification of a defendant's right of appeal each time it enters a judgment of guilt or other appealable order. TEX. R. APP. P. 25.2(a)(2). In a plea-bargain case, a defendant may appeal only those matters raised by written motion and ruled on before trial, or after getting the trial court's permission to appeal. TEX. R. APP. P. 25.2(a)(2)(A), (B); *see Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006) (noting that while an intermediate appellate court has jurisdiction to ascertain whether an appellant who pleaded guilty is permitted to appeal under rule 25.2(a)(2), an appellate court must dismiss a prohibited appeal without further action, regardless of the basis for

the appeal); *Tedford v. State*, No. 08-21-00003-CR, 2021 WL 717603, at *1 (Tex. App.—El Paso Feb. 24, 2021, no pet.) (mem. op., not designated for publication).

Here, the trial court’s certification reflects the appeal “is a plea-bargain case, and the defendant has NO right of appeal [] or the defendant has waived the right of appeal.”

Based on the trial court’s certification, we find Appellant does not have a right to appeal. Accordingly, we dismiss the appeal.

GINA M. PALAFOX, Justice

October 25, 2021

Before Rodriguez, C.J., Palafox, and Alley, JJ.

(Do Not Publish)