

Opinion filed April 18, 2013



In The

Eleventh Court of Appeals

No. 11-13-00081-CR

MARGIE BUSTILLOS LOPEZ, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 142nd District Court

Midland County, Texas

Trial Court Cause No. CR38607

MEMORANDUM OPINION

Margie Bustillos Lopez filed a pro se notice of appeal in this case. This court noted that the trial court had certified that this is a plea-bargain case and that Lopez has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2), (d). We issued a letter requesting that Lopez respond by April 5, 2013, and show grounds to continue the appeal. Lopez has not responded. We dismiss the appeal.

Lopez was originally placed on community supervision for the offense of possession of a controlled substance. At that time, the trial court deferred the adjudication of Lopez's guilt. The clerk's record indicates that the State later filed a motion to revoke and that Lopez entered into a

plea agreement with the State with respect to the motion. Lopez pleaded true to the State's motion to revoke, and the trial court assessed punishment pursuant to the terms of the plea agreement at confinement for eight months in a state jail facility. Thus, the trial court's certification—reflecting that Lopez has no right of appeal—is supported by the record and is not defective. *See Dears v. State*, 154 S.W.3d 610 (Tex. Crim. App. 2005). Lopez's appeal is therefore prohibited by Rule 25.2, and we must dismiss the appeal without further action. Rule 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Accordingly, this appeal is dismissed.

PER CURIAM

April 18, 2013

Do not publish.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

Panel consists of: Wright, C.J.,
McCall, J., and Willson, J.