

Opinion filed May 10, 2018



In The

Eleventh Court of Appeals

No. 11-18-00110-CR

CIRO ANGEL RIVERA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 42nd District Court
Taylor County, Texas
Trial Court Cause No. 27397A**

MEMORANDUM OPINION

Appellant, Ciro Angel Rivera, entered into a plea agreement with the State and pleaded guilty to the offense of assault family violence and true to an enhancement allegation. In accordance with the terms of the plea agreement, the trial court assessed Appellant's punishment at confinement for eight years. Appellant filed a pro se notice of appeal. We dismiss the appeal.

This court notified Appellant by letter that we had received information from the trial court that this is a plea bargain case in which Appellant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2), (d). We requested that Appellant’s counsel respond and show grounds to continue the appeal. No response has been filed.

Rule 25.2(a)(2) provides that, in a plea bargain case in which the punishment does not exceed the punishment agreed to in the plea bargain, “a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after getting the trial court’s permission to appeal.” The documents on file in this appeal reflect that Appellant entered into a plea bargain, that his punishment was assessed in accordance with the plea bargain, and that the trial court certified that Appellant has no right of appeal. Both the plea bargain agreement and the trial court’s certification were signed by Appellant, Appellant’s counsel, and the judge of the trial court. The documents on file in this court support the trial court’s certification. *See Dears v. State*, 154 S.W.3d 610, 613–14 (Tex. Crim. App. 2005). Accordingly, we must dismiss this appeal without further action. TEX. R. APP. P. 25.2(d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Accordingly, this appeal is dismissed.

PER CURIAM

May 10, 2018

Do not publish.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

Panel consists of: Willson, J.,
Bailey, J., and Wright, S.C.J.¹

¹Jim R. Wright, Senior Chief Justice (Retired), Court of Appeals, 11th District of Texas at Eastland, sitting by assignment.