

Dismissed; Opinion Filed November 1, 2016.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-16-00932-CR

DERLY DWAYNE GROSS, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the County Criminal Court No. 2
Dallas County, Texas
Trial Court Cause No. MB-1670939

MEMORANDUM OPINION

Before Justices Lang, Myers, and Evans
Opinion by Justice Evans

After entering a plea agreement with the State, Derly Dwayne Gross was found guilty of possession of a controlled substance. The trial court followed the plea agreement and assessed punishment at forty-two days in jail. Appellant waived his right to appeal in conjunction with the plea agreement. *See Blanco v. State*, 18 S.W.3d 218, 219-20 (Tex. Crim. App. 2000). The trial court's rule 25.2(d) certification states (1) the case involves a plea bargain and appellant has no right to appeal and (2) appellant has waived the right to appeal. The certification is supported

by the documents before the Court. *See Dears v. State*, 154 S.W.3d 610, 614–15 (Tex. Crim. App. 2005). In light of the above, we dismiss this appeal for want of jurisdiction.

Do Not Publish
TEX. R. APP. P. 47
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/David Evans/

DAVID EVANS
JUSTICE



**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

DERLY DWAYNE GROSS, Appellant

No. 05-16-00932-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the County Criminal Court
No. 2, Dallas County, Texas

Trial Court Cause No. MB-1670939.

Opinion delivered by Justice Evans, Justices
Lang and Myers participating.

Based on the Court's opinion of this date, we **DISMISS** the appeal for want of jurisdiction.

Judgment entered this 1st day of November, 2016.