

Dismissed; Opinion Filed August 29, 2017.



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-17-00986-CR

XZAVEUS BYNUM, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court No. 7
Dallas County, Texas
Trial Court Cause No. F17-75416-Y

MEMORANDUM OPINION

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

Xzaveus Bynum pleaded guilty to aggravated assault with a deadly weapon. Following appellant's plea agreement with the State, the trial court assessed punishment at three years in prison. The trial court's certification of appellant's right to appeal states the case involves a plea bargain and appellant has no right to appeal. *See* TEX. R. APP. P. 25.2(d). The certification is supported by the documents filed along with appellant's notice of appeal. *See Dears v. State*, 154 S.W.3d 610, 614–15 (Tex. Crim. App. 2005).

By letter dated August 23, 2017, we questioned our jurisdiction over this appeal and directed appellant to file a letter brief, and the State to file a response, regarding the jurisdictional issue. On August 28, 2017, appellant's appointed attorney filed a letter, conceding he had waived his right to appeal.

Because the documents before the Court affirmatively show we have no jurisdiction over the appeal, we dismiss the appeal for want of jurisdiction.

/Douglas S. Lang/
DOUGLAS S. LANG
JUSTICE

Do Not Publish
TEX. R. APP. P. 47.2(b)
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**Court of Appeals
Fifth District of Texas at Dallas**

JUDGMENT

XZAVEUS BYNUM, Appellant

No. 05-17-00986-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the Criminal District Court
No. 7, Dallas County, Texas

Trial Court Cause No. F17-75416-Y.

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

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

Judgment entered this 29th day of August, 2017.