

DISMISS; and Opinion Filed June 28, 2018.



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

No. 05-18-00602-CR

**CALVIN DEON HOGAN, Appellant
V.
THE STATE OF TEXAS, Appellee**

**On Appeal from the 291st Judicial District Court
Dallas County, Texas
Trial Court Cause No. F17-76562-U**

MEMORANDUM OPINION

Before Justices Francis, Fillmore, and Whitehill
Opinion by Justice Fillmore

Calvin Deon Hogan entered a negotiated plea of guilty to the offense of aggravated robbery with a deadly weapon. After finding appellant guilty, the trial court assessed punishment at ten years in prison. Appellant then filed a pro se notice of appeal. After reviewing the record before us, we dismiss this appeal.

Appellant, who was represented by counsel, entered into a negotiated plea bargain with the State. Under the plea agreement, appellant signed a judicial confession and pleaded guilty to the offense in exchange for the State's agreement to recommend punishment at ten years. As further consideration for the plea bargain, appellant waived his right to appeal. *See Blanco v. State*, 18 S.W.3d 218, 219–20 (Tex. Crim. App. 2000). The trial court accepted appellant's guilty plea and, following the plea agreement, assessed punishment at ten years in prison. The trial court prepared

and signed a rule 25.2(d) certification concerning appellant’s right to appeal stating this “is a plea-bargain case, and [appellant] has NO right to appeal.” See TEX. R. APP. P. 25.2(d). 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). Because appellant waived his right to appeal in conjunction with the plea agreement, we conclude we lack jurisdiction. See TEX. R. APP. P. 25.2(a), (d); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006) (appellant had no right of appeal because he was sentenced pursuant to the agreed terms of a plea bargain and did not satisfy either of the exceptions stated in rule 25.2(a)(2)).

We dismiss the appeal for want of jurisdiction.

/Robert M. Fillmore/
ROBERT M. FILLMORE
JUSTICE

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TEX. R. APP. P. 47.2(b)

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

JUDGMENT

CALVIN DEON HOGAN, Appellant

No. 05-18-00602-CR V.

THE STATE OF TEXAS, Appellee

On Appeal from the 291st Judicial District
Court, Dallas County, Texas.

Trial Court Cause No. F17-76562-U.

Opinion delivered by Justice Fillmore,
Justices Francis and Whitehill participating.

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

Judgment entered this 28th day of June, 2018.