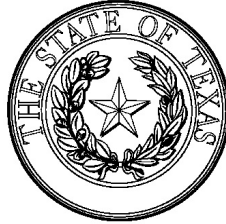


Opinion issued August 7, 2008



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NOS. 01-07-00713-CR  
01-07-00714-CR  
01-07-00715-CR

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**MARCUS MARQUIS PRUITT** Appellant

V.

**THE STATE OF TEXAS**, Appellee

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**On Appeal from the 180th District Court  
Harris County, Texas  
Trial Court Cause Nos. 1065143, 1065144, 1109842**

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**MEMORANDUM OPINION**

We lack jurisdiction to hear these appeals. Appellant entered a guilty plea<sup>1</sup> to three separate offenses: possession of a controlled substance, namely cocaine in

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<sup>1</sup> The record reflects that the appellant waived the right to have a court reporter record the plea proceedings.

cause number 1065143, unlawful possession of a firearm by a felon, in cause number 1065144, and to forgery of a government document in cause number 1121646. Along with the pleas of guilty, appellant, appellant's counsel, and the State signed a stipulation of evidence, in each case, which included, among others, the following statements: "I intend to enter a plea of guilty and understand that the prosecutor will recommend that my punishment should be set at 2 years TDC; I agree to that recommendation . . . Further, I waive my right of appeal which I may have should the court accept the foregoing plea bargain agreement between myself and the prosecutor." The trial court's judgment in each case is stamped, "Appeal waived. No permission to appeal granted."

In accordance with the terms of appellant's plea bargain agreements with the State, the trial court sentenced appellant, on July 5, 2008, to confinement for two years in cause numbers 1015643, 1015644. On July 25, 2008, the trial court entered a certification of the defendant's right to appeal in each of the above cases that states: "I, judge of the trial court, certify this criminal case is a plea-bargain case, and the defendant has no right of appeal." See Tex. R. App. P. 25.2(a). The certification contains the signature of the trial court judge, the defendant and the defendant's counsel.

Additionally, the record before this court contains a document styled "Advice of Defendant's Right to Appeal" that is signed and sworn to by the appellant

and states in part: “ Texas law gives a defendant convicted of a crime the right to appeal his conviction. If you pled guilty or no contest and accepted the punishment recommended by the prosecutor, . . . you cannot appeal your conviction unless this Court gives you permission. If you waived or gave up your right to appeal, you cannot appeal your conviction.”

After the trial court sentenced appellant to punishment that fell within the terms of the plea bargain agreement in each case, the trial court certified in each case that the case is a plea- bargain case and the defendant has no right to appeal. Appellant filed a notice of appeal but did not request the trial court’s permission to appeal any pre-trial matters, and the trial court did not give permission for appellant to appeal. Appellant filed a pro se notice of appeal. This appeal followed.

We conclude that the certification of the right of appeal filed by the trial court in each case is supported by the record and that appellant has no right of appeal due to the agreed plea bargains. TEX. R. APP. P. 25.2(a). Because appellant has no right of appeal, we must dismiss this appeals “without further action.” *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Accordingly, the appeals in trial court cause numbers 1065148, 1065144, and 1109842 are dismissed for lack of jurisdiction.

Any pending motions are denied as moot.

**PER CURIAM**

Panel consists of Justices Nuchia, Alcalá, and Hanks.

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