

Opinion issued July 24, 2008



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

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NO. 01-07-00798-CR

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**KEVIN MITCHELL, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 230th District Court  
Harris County, Texas  
Trial Court Cause No. 1093210**

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**MEMORANDUM OPINION**

We lack jurisdiction to hear this appeal. Appellant, Kevin Mitchell, pleaded guilty to the felony offense of failure to comply with sexual registration requirements, and, in accordance with his plea bargain agreement with the State, the trial court

sentenced appellant to confinement for six years. Along with the plea, appellant, appellant's counsel, and the State signed a stipulation of evidence 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 six 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 is stamped, "Appeal waived. No permission to appeal granted."

After the trial court sentenced appellant to punishment that fell within the terms of the plea bargain agreement, the trial court certified that this case is a plea-bargain case and the defendant has no right to appeal. Appellant 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 timely pro se notice of appeal. This appeal followed.

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

Accordingly, the appeal in Trial Court Cause Number 1093210 is

dismissed for lack of jurisdiction.

Any pending motions are denied as moot.

**PER CURIAM**

Panel consists of Justices Taft, Jennings, and Bland.

Do not publish.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