

Opinion issued September 16, 2010



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00639-CR

LEOBARDO MANCILLA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 228th District Court
Harris County, Texas
Trial Court Case No. 1105041**

MEMORANDUM OPINION

We lack jurisdiction to hear this appeal. Appellant, Leobardo Mancilla, pleaded guilty to the offense of Aggravated Sexual Assault of a Child—Under 14, and in accordance with his plea bargain agreement with the State, the trial court sentenced appellant to confinement for 10 years.

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 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.

We conclude that the trial court's certification that appellant has no right of appeal, as shown on the form entitled "Trial Court's Certification of Defendant's Right of Appeal," is supported by the record that shows he entered into an agreed plea bargain with the State. TEX. R. APP. P. 25.2(a) (2). 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 is dismissed for lack of jurisdiction.

We deny any pending motions as moot.

PER CURIAM

Panel consists of Justices Keyes, Hanks, and Higley.

Do not publish.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