

Opinion issued October 28, 2010



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-00792-CR

GERMAINE JAMES, Appellant
V.
THE STATE OF TEXAS, Appellee

On Appeal from the County Court at Law No. 1
Fort Bend County, Texas
Trial Court Case No. 143465

MEMORANDUM OPINION

We lack jurisdiction to hear this appeal. Appellant, Germaine James, pleaded guilty to the offense of theft by check, and the trial court, in accordance with her plea agreement with the State, sentenced her to confinement for 7 days.

After the trial court sentenced appellant to a punishment that fell within the terms of the plea agreement, it certified that this case is a plea-bargained case and appellant has no right to appeal. Additionally, appellant signed a waiver of her right of appeal. Although appellant filed a timely pro se notice of appeal, she does not appeal any pre-trial matters, and the trial court did not give her permission to appeal.

We conclude that the trial court's certification that appellant has no right of appeal and that appellant has waived her 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 that she entered into an agreed plea 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, we dismiss the appeal for lack of jurisdiction.

We deny any pending motions as moot.

PER CURIAM

Panel consists of Justices Jennings, Alcala, and Sharp.

Do not publish.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