

Opinion issued February 22, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-17-00810-CR

NADINE HANSON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the County Court at Law No. 2 & Probate Court
Brazoria County, Texas
Trial Court Case No. 230106

MEMORANDUM OPINION

Appellant Nadine Hanson pleaded guilty to the misdemeanor offense of criminal trespass. *See* TEX. PENAL CODE § 30.05. In accordance with the terms of a plea-bargain agreement, the trial court signed a judgment of conviction imposing a

sentence of 38 days in the Brazoria County jail. Representing herself, Hanson filed a notice of appeal.

In a plea bargain case, a defendant may appeal only matters raised by a written motion that was filed and ruled upon before trial, or after obtaining the trial court's permission to appeal. TEX. CODE CRIM. PROC. art. 44.02; TEX. R. APP. P. 25.2(a)(2). Neither applies in this case.

We dismiss a criminal appeal unless a certification showing that the appellant has a right to appeal has been made part of the record. *See* TEX. R. APP. P. 25.2(a)(2). The trial court's certification states that this is a plea bargain case and Hanson has no right of appeal. Because the record contained no plea bargain documentation, we abated the appeal and remanded the case to the trial court to clarify the record, either by filing a supplemental record demonstrating the plea bargain, or by conducting a hearing to determine whether appellant has the right to appeal and making appropriate findings and conclusions.

The trial court filed its findings that Hanson entered into a plea bargain to plead guilty in return for a recommended jail sentence of 38 days, with credit for 19 days already served. The trial court's certification of appellant's right to appeal conforms to these findings of fact.

Because this is a plea-bargain case, appellant has no right to appeal. Accordingly, we dismiss this appeal. *See Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack, and Justices Massengale and Brown.

Do not publish.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