

**Dismissed and Memorandum Opinion filed June 30, 2011.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-11-00480-CR  
NO. 14-11-00483-CR**

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**JOHN AARON CANTU, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 268th District Court  
Fort Bend County, Texas  
Trial Court Cause Nos. 10-DCR-055442 & 10-DCR-055111**

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**MEMORANDUM OPINION**

Appellant entered a guilty plea to the offenses of engaging in organized criminal activity (Trial Court Cause No. 10-DCR-055442; Appeal No. 14-11-00480-CR) and manufacture and delivery of a controlled substance (Trial Court Cause No. 10-DCR-055111; Appeal No. 14-11-00483-CR). In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant on May 5, 2011, to confinement for thirty-three years in the Institutional Division of the Texas Department of Criminal Justice for each offense, to run concurrently. In both cases, appellant filed a pro se notice of appeal. We dismiss both appeals.

In both cases, the trial court entered a certification of the defendant's right to appeal in which the court certified that this is a plea bargain case and the defendant has no right of appeal. *See* Tex. R. App. P. 25.2(a)(2). The trial court's certification is included in each record on appeal. *See* Tex. R. App. P. 25.2(d). In both cases, the record supports the trial court's certification. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

Further, the record in both cases reflects appellant waived his right of appeal. Negotiated waivers of the right to appeal are valid if the defendant waived the right of appeal knowing with certainty the punishment that would be assessed. *See Monreal v. State*, 99 S.W.3d 615 (Tex. Crim. App. 2003). The record establishes appellant waived his right to appeal in both cases in exchange for the sentence received. Appellant knew with certainty the punishment that would be assessed. *See Monreal v. State*, 99 S.W.3d 615 (Tex. Crim. App. 2003). Thus, there is a valid waiver of the right to appeal in both cases. *Cf. Blanco v. State*, 18 S.W.3d 218, 219 (Tex. Crim. App. 2000).

For these reasons, the appeals are dismissed.

PER CURIAM

Panel consists of Justices Anderson, Brown, and Christopher.

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