

Dismissed and Memorandum Opinion filed August 16, 2011.



In The

Fourteenth Court of Appeals

NO. 14-11-00670-CR

DWIGHT CONRAD BENNETT, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 337th District Court
Harris County, Texas
Trial Court Cause No. 1261375**

MEMORANDUM OPINION

Appellant entered a guilty plea to aggravated assault of a family member. In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant on March 17, 2011, to confinement for ten years in the Institutional Division of the Texas Department of Criminal Justice. Appellant filed a pro se notice of appeal on July 25, 2011. We dismiss the appeal.

A defendant's notice of appeal must be filed within thirty days after sentence is imposed when the defendant has not filed a motion for new trial. *See* Tex. R. App. P. 26.2(a)(1). A notice of appeal which complies with the requirements of Rule 26 is

essential to vest the court of appeals with jurisdiction. *Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998). If an appeal is not timely perfected, a court of appeals does not obtain jurisdiction to address the merits of the appeal. Under those circumstances it can take no action other than to dismiss the appeal. *Id.*

In addition, 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 the record on appeal. *See* Tex. R. App. P. 25.2(d). The record supports the trial court's certification. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005).

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Frost, Seymore, and Jamison.

Do Not Publish — Tex. R. App. P. 47.2(b).