

Appeal Dismissed and Memorandum Opinion filed October 22, 2015.



In The

Fourteenth Court of Appeals

NO. 14-15-00359-CR

BENJAMIN ROBERT BARRAN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 338th District Court
Harris County, Texas
Trial Court Cause No. 1401264**

M E M O R A N D U M O P I N I O N

Appellant was indicted for fraudulent use of identifying information. Pursuant to a charge bargain, the State agreed to dismiss four other charges in exchange for appellant's guilty plea to the indicted charge. The trial court sentenced appellant to twenty years in prison. Appellant filed a timely notice of appeal. We dismiss the appeal.

Because this is a charge-bargain case, appellant has the right to appeal under

Texas Rule of Appellate Procedure 25.2(a)(2) only: (A) those matters that were raised by written motion filed and ruled on before trial, or (B) after receiving the trial court's permission to appeal. *Kennedy v. State*, 297 S.W.3d 338, 340–41 (Tex. Crim. App. 2009); *see also Shankle v. State*, 119 S.W.3d 808, 812–13 (Tex. Crim. App. 2003) (holding that charge bargain that “effectively puts a cap on punishment” is a bargain governed by rule of appellate procedure 25.2(a)(2)).

The record does not reflect the trial court's permission to appeal or any pretrial motions that could be appealed. Therefore, we lack jurisdiction over appellant's appeal.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Chief Justice Frost and Justices Christopher and Donovan

Do Not Publish — Tex.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