

Motion Granted; Appeal Dismissed and Memorandum Opinion filed January 12, 2016.



In The

Fourteenth Court of Appeals

NO. 14-15-00344-CR

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NAYAJAH NIYA DAVIS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 262nd District Court
Harris County, Texas
Trial Court Cause Nos. 1412474 & 1412475**

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

A jury found appellant guilty of two charges of assault of a public servant. After the verdict, appellant and the State entered into an agreement as to sentencing. In accordance with the terms of the agreement, the trial court sentenced appellant to concurrent sentences of five years' confinement in the Institutional Division of the Texas Department of Criminal Justice, but suspended the sentences

and placed appellant on community supervision for five years. We dismiss the appeals because the appellant waived her right to appeal both cases.

The trial court entered certifications of the defendant's right to appeal in which the court certified that appellant waived her right of appeal. *See* Tex. R. App. P. 25.2(a)(2). The trial court's certifications are included in the records on appeal. *See* Tex. R. App. P. 25.2(d). The records support the trial court's certifications. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005). Appellant's waiver reflects that she entered into an agreement with the State after a jury found her guilty. Appellant waived the right of appeal knowing with certainty the punishment that would be assessed. *See Blanco v. State*, 18 S.W.3d 218, 219 (Tex. Crim. App. 2000) (holding waiver of right to appeal is valid if appellant knows with certainty the punishment that will be assessed).

Accordingly, we dismiss the appeals.

PER CURIAM

Panel consists of Justices Christopher, McCally, and Busby.

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