

Appeal Dismissed and Memorandum Opinion filed May 5, 2016.



In The

Fourteenth Court of Appeals

NO. 14-16-00224-CR

LATOYA MARIE PALMER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 248th District Court
Harris County, Texas
Trial Court Cause No. 1419631**

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

Appellant Latoya Marie Palmer was indicted for capital murder. Pursuant to a charge bargain, the State agreed to reduce the charge to aggravated robbery with a deadly weapon in exchange for appellant's "guilty plea" to that offense. The trial court sentenced appellant to thirty years' imprisonment. 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 Texas 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 McCally and Brown.
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