

Appeal Dismissed and Memorandum Opinion filed July 26, 2016.



In The

Fourteenth Court of Appeals

NO. 14-16-00443-CR

BRIAN KEITH WILLIAMS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 1340190**

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

Appellant was indicted for engaging in criminal activity. Pursuant to a charge bargain, the State agreed to reduce the charge to fraudulent use or possession of identifying information, more than 10 pieces and fewer than 50 pieces, in exchange for appellant's guilty plea to that offense. The trial court sentenced appellant to eight 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 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 of appellant's appeal.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Boyce, Christopher, and Jamison.
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