

Dismissed and Memorandum Opinion filed March 30, 2017.



In The

Fourteenth Court of Appeals

NO. 14-17-00199-CR

TREVION MARQUIS JONES, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 248th District Court
Harris County, Texas
Trial Court Cause No. 1399117**

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

Appellant entered a guilty plea to the offense of aggravated robbery with a deadly weapon. The trial court deferred adjudication of guilt and placed appellant on deferred adjudication community supervision for five years. The State subsequently filed a motion to adjudicate appellant's guilt because he violated certain conditions of community supervision. Appellant entered into a stipulation of evidence in which he stated that he understood the allegations against him in the State's motion, understood the range of punishment for the offense is five years to life in prison, and judicially confessed that the allegations in the State's motion to

adjudicate were true. Appellant acknowledged that he entered his plea of true in exchange for a recommendation from the prosecutor that his punishment be assessed at five years in prison and a \$500 fine. Appellant also acknowledged that as part of his plea bargain agreement he agreed to waive any right to appeal any issue or claim in this case including his plea of true or admission of guilt.

On September 19, 2016, the trial court entered judgment in accordance with the plea bargain agreement. No motion for new trial was filed. On December 14, 2016, appellant filed a pro se notice of appeal.

A defendant's notice of appeal must be filed within 30 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 that 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 waived the 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, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Boyce, Jamison, and Brown.

Do Not Publish — Tex.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