

Dismissed and Memorandum Opinion filed October 26, 2017.



In The
Fourteenth Court of Appeals

NO. 14-17-00808-CR

ARNECIA M. BAKER, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 184th District Court
Harris County, Texas
Trial Court Cause No. 1535848**

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 assault—bodily injury. In accordance with the terms of a plea bargain, on May 11, 2017, the trial court sentenced appellant to confinement for 90 days in the Harris County Jail. No timely motion for new trial was filed. Appellant's notice of appeal was not filed until August 3, 2017.

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 has no 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 Christopher, Brown, and Wise.
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