

*Court of Appeals*  
*Fourth Court of Appeals District of Texas*  
*San Antonio*



**MEMORANDUM OPINION**

No. 04-09-00539-CR and 04-09-00540-CR

Dominique **FRANKLIN**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 227th Judicial District Court, Bexar County, Texas  
Trial Court Nos. 2008-CR-6844A and 2008-CR-6843A  
Honorable Philip A. Kazen, Jr., Judge Presiding

PER CURIAM

Sitting: Rebecca Simmons, Justice  
Steven C. Hilbig, Justice  
Marialyn Barnard, Justice

Delivered and Filed: October 7, 2009

DISMISSED

The trial court certifications in both of these appeals state that these cases are “plea-bargain case[s], and the defendant has NO right of appeal.” Rule 25.2(d) of the Texas Rules of Appellate Procedure provides, “[t]he appeal must be dismissed if a certification that shows the defendant has a right of appeal has not been made part of the record under these rules.” TEX. R. APP. P. 25.2(d).

Appellant’s counsel filed written notices with this court that counsel reviewed the records and, in either case, “can find no right of appeal for Appellant.” We construe these notices as an indication that appellant will not seek to file amended trial court certifications showing that he has the right of appeal. *See* TEX. R. APP. P. 25.2(d); 37.1; *see also Daniels v. State*, 110 S.W.3d 174, 177 (Tex. App.—San Antonio 2003, no pet.). In light of the record presented, we agree with appellant’s counsel that Rule 25.2(d) requires this court dismiss these appeals. Accordingly, these appeals are dismissed.

PER CURIAM

DO NOT PUBLISH