

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



MEMORANDUM OPINION

Nos. 04-10-00027-CR & 04-10-00028-CR

Jeremy James **MCGILVREY**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 186th Judicial District Court, Bexar County, Texas
Trial Court Nos. 2009-CR-8655 & 2009-CR-10808W
Honorable Maria Teresa Herr, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Karen Angelini, Justice
Santee Bryan Marion, Justice

Delivered and Filed: February 24, 2010

DISMISSED

The trial court's certifications in these appeals state that the 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 has filed written notice with this court, indicating counsel has reviewed the records in these

appeals and “can find no right of appeal for Appellant.” We construe this notice 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 records presented, we agree with appellant’s counsel that Rule 25.2(d) requires this court to dismiss these appeals. Accordingly, the appeals are dismissed.

PER CURIAM

DO NOT PUBLISH