

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



MEMORANDUM OPINION

No. 04-10-00168-CR

Nora M. **REYNOSA**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 290th Judicial District Court, Bexar County, Texas
Trial Court No. 2009-CR-11839W
Honorable Sharon MacRae, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice
Phylis J. Speedlin, Justice
Rebecca Simmons, Justice

Delivered and Filed: May 12, 2010

DISMISSED

Pursuant to a plea bargain agreement, appellant, Nora Reynosa, pled guilty to aggravated assault with a deadly weapon. On January 21, 2010, the trial court imposed sentence and signed a certification of defendant's right to appeal stating that this "is a plea-bargain case, and the defendant has NO right of appeal." *See* TEX. R. APP. P. 25.2(a)(2). After appellant filed a notice of appeal, the

court clerk sent copies of the certification and notice of appeal to this court. *See* TEX. R. APP. P. 25.2(e).

Appellant filed a pro se notice of appeal in which she asserts “the substance of the appeal was raised in a written motion ruled on before trial.” The clerk’s record contains a written plea bargain agreement, and the punishment assessed did not exceed the punishment recommended by the State and agreed to by the appellant. The clerk’s record does not contain any orders ruling on pre-trial motions. Rule 25.2(d) provides, “The appeal must be dismissed if a certification that shows the defendant has the right of appeal has not been made part of the record under these rules.” TEX. R. APP. P. 25.2(d). Accordingly, on March 16, 2010, this court issued an order stating this appeal would be dismissed pursuant to Rule 25.2(d) unless an amended trial court certification that shows appellant has the right of appeal was made part of the appellate record. *See Daniels v. State*, 110 S.W.3d 174 (Tex. App.—San Antonio 2003, order); TEX. R. APP. P. 25.2(d); 37.1. No amended trial court certification has been filed; therefore, this appeal is dismissed.

PER CURIAM

DO NOT PUBLISH