

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



**MEMORANDUM OPINION**

No. 04-11-00529-CR

Joseph Clarisa **SANDOVAL**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 399th Judicial District Court, Bexar County, Texas  
Trial Court No. 2009CR6080  
Honorable Juanita A. Vasquez-Gardner, Judge Presiding

PER CURIAM

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

Delivered and Filed: August 31, 2011

DISMISSED

The trial court's certification in this appeal states that the case is a "plea-bargain case, and the defendant has NO right of appeal." We must dismiss the appeal "if a certification that shows the defendant has a right of appeal has not been made part of the record." TEX. R. APP. P. 25.2(d); *Dears v. State*, 154 S.W.3d 610, 613 (Tex. Crim. App. 2005).

Appellant's counsel has filed written notice with this court that counsel has reviewed the record and "can find no right of appeal for Appellant." We construe this notice as an indication

that appellant will not seek to file an amended trial court certification showing that appellant 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 to dismiss this appeal. Accordingly, this appeal is dismissed.

PER CURIAM

DO NOT PUBLISH