

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



MEMORANDUM OPINION

No. 04-12-00364-CR

Ronald James **THOMAS**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 218th Judicial District Court, Karnes County, Texas
Trial Court No. 12-01-00002-CRK
Honorable Bert Richardson, Judge Presiding

PER CURIAM

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

Delivered and Filed: August 29, 2012

DISMISSED

On July 13, 2012, we notified the appellant that the trial court's certification in this appeal states that "this criminal case is a plea-bargain case, and the defendant has NO right of appeal." Additionally, the clerk's record contained a written waiver signed by the appellant pursuant to which he entered a plea of no contest. The trial court's judgment also reflected that there was a plea bargain agreement, and the punishment assessed did not exceed the punishment recommended by the prosecutor and agreed to by the defendant. Therefore, the trial court's

certification accurately reflected that the criminal case is a plea-bargain case. *See* TEX R. APP. P. 25.2(a)(2).

In our July 13, 2012 order, we warned the appellant that “[this] 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.” *See id.* R. 25.2(d). We ordered that this appeal would be dismissed pursuant to Rule 25.2(d) unless the appellant caused an amended trial court certification to be filed by July 16, 2012, that showed the appellant has the right of appeal. *See id.* R. 25.2(d), 37.1; *see also Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006); *Daniels v. State*, 110 S.W.3d 174, 176 (Tex. App.—San Antonio 2003, no pet.). No response was filed. Accordingly, we dismiss this appeal.

PER CURIAM

DO NOT PUBLISH