



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-13-00170-CR

Jose **NAVARRO**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 187th Judicial District Court, Bexar County, Texas
Trial Court No. 2012CR4295B
Honorable Raymond Angelini, Judge Presiding

PER CURIAM

Sitting: Rebeca C. Martinez, Justice
Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice

Delivered and Filed: May 1, 2013

DISMISSED

On March 21, 2013, 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 on or before April 22, 2013. *See* TEX. R. APP. P. 25.2(d), 37.1; *see also Daniels v. State*, 110 S.W.3d 174, 175-76 (Tex. App.—San Antonio 2003, order). Appellant did not respond. The record does not contain a certification that shows the defendant has the right of appeal; to the contrary, the trial court certification in the record states “this criminal case is a plea-bargain case, and the defendant has NO right of

appeal.” The clerk’s record contains a written plea bargain, and the punishment assessed did not exceed the punishment recommended by the prosecutor and agreed to by the defendant; therefore, the clerk’s record supports the trial court’s certification that defendant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2). Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 25.2(d).

PER CURIAM

DO NOT PUBLISH