



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

**MEMORANDUM OPINION**

No. 04-14-00183-CR

Alexander Michael **FRANKLIN**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 290th Judicial District Court, Bexar County, Texas  
Trial Court No. 2013CR9307  
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 28, 2014

DISMISSED

On April 9, 2014, 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 contains a written waiver signed by the appellant pursuant to which he entered a plea of *nolo contendere*. The trial court's judgment also shows 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 reflects that this criminal case is a plea-bargain case. *See* TEX. R. APP. P. 25.2(a)(2).

In our April 9, 2014 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 May 9, 2014 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DO NOT PUBLISH