



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

**MEMORANDUM OPINION**

Nos. 04-14-00860-CR & 04-14-00861-CR

Michael **MACIEL**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 187th Judicial District Court, Bexar County, Texas  
Trial Court Nos. 2014CR4959B & 20144960B  
Honorable Raymond Angelini, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Marialyn Barnard, Justice  
Jason Pulliam, Justice

Delivered and Filed: January 21, 2015

DISMISSED

The trial court's certification in each of these appeals states that "this criminal case is a plea-bargain case, and the defendant has NO right of appeal." The clerk's record for each appeal 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 trial court's certification in each case accurately reflects that the underlying case is a plea-bargain case. *See* TEX. R. APP. P. 25.2(a)(2).

Rule 25.2(d) of the Texas Rules of Appellate Procedure provides, “The appeal must be dismissed if a certification that shows the defendant has a right of appeal has not been made part of the record under these rules.” TEX. R. APP. P. 25.2(d). On December 16, 2014, we ordered that these appeals would be dismissed pursuant to rule 25.2(d) unless an amended trial court certification showing that the appellant has the right of appeal was made part of the appellate record by January 14, 2015. *See* TEX. R. APP. P. 25.2(d); 37.1; *see also Dears v. State*, 154 S.W.3d 610 (Tex. Crim. App. 2005); *Daniels v. State*, 110 S.W.3d 174 (Tex. App.—San Antonio 2003, no pet.).

On January 15, 2015, appellant’s counsel has filed a written response stating that counsel has reviewed the records and “can find no right of appeal for Appellant.” As a result, counsel states she “can find no reason to seek an amended certification from the trial court.” *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 these appeals. Accordingly, these appeals are dismissed.

PER CURIAM

DO NOT PUBLISH