



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

**MEMORANDUM OPINION**

No. 04-16-00149-CR

Jose Roberto **OBREGON**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 49th Judicial District Court, Webb County, Texas  
Trial Court No. 2013CR0781-D1  
Honorable Jose A. Lopez, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice  
Luz Elena D. Chapa, Justice  
Jason Pulliam, Justice

Delivered and Filed: June 15, 2016

DISMISSED

Jose Roberto Obregon entered into a plea bargain with the State. The clerk's record establishes the punishment assessed by the court does not exceed the punishment recommended by the prosecutor and agreed to by the defendant. *See* TEX. R. APP. P. 25.2(a)(2). The record also appears to support the trial court's certification that Obregon does not have a right to appeal. *See Dears v. State*, 154 S.W.3d 610 (Tex. Crim. App. 2005) (holding that court of appeals should review clerk's record to determine whether trial court's certification is accurate).

On April 8, 2016, we ordered Obregon to show cause why the appeal should not be dismissed under Rule 25.2(d) of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 25.2(d) (requiring us to must dismiss an appeal “if a certification that shows the defendant has the right of appeal has not been made part of the record.”). On April 29, 2016, we granted Obregon’s motion for an extension of time to obtain an amended certification. We advised him that this appeal would be dismissed unless an amended certification showing he had the right to appeal was made part of the appellate record by May 29, 2016. No such amended certification has been made part of the appellate record. We must therefore dismiss this appeal. *See* TEX. R. APP. P. 25.2(d).

PER CURIAM

DO NOT PUBLISH