



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

**MEMORANDUM OPINION**

No. 04-20-00503-CR

Julian Lyle **WEESE**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 198th Judicial District Court, Banderita County, Texas  
Trial Court No. CR18-140  
Honorable M. Rex Emerson, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice  
Irene Rios, Justice

Delivered and Filed: December 16, 2020

DISMISSED

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." 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; Rule 25.2(a)(2) applies. *See* TEX. R. APP. P. 25.2(a)(2).

This court must dismiss this appeal "if a certification that shows the defendant has the right of appeal has not been made part of the record under these rules." *Id.* R. 25.2(d); *see Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

On October 29, 2020, we notified Appellant that this appeal would be dismissed under Rule 25.2(d) unless an amended trial court certification showing that Appellant has the right of appeal was made part of the appellate record by November 30, 2020. *See* TEX. R. APP. P. 25.2(d), 37.1; *see also Dears v. State*, 154 S.W.3d 610, 613 (Tex. Crim. App. 2005); *Daniels v. State*, 110 S.W.3d 174, 176 (Tex. App.—San Antonio 2003, no pet.). Supplemental clerk’s records were filed on November 16, 2020, and November 30, 2020, but neither contained an amended trial court certification. The only certification in the appellate record shows Appellant has no right of appeal.

Absent an amended trial court certification showing that Appellant has the right of appeal, Rule 25.2(d) requires this court to dismiss this appeal. *See Dears*, 154 S.W.3d at 613; *Daniels*, 110 S.W.3d at 176. Accordingly, this appeal is dismissed.

PER CURIAM

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