Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-22-00394-CR

Leticia Ann **PEREZ**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 175th Judicial District Court, Bexar County, Texas
Trial Court No. 2020CR2222
Honorable Catherine Torres-Stahl, Judge Presiding

PER CURIAM

Sitting: Beth Watkins, Justice
             Liza A. Rodriguez, Justice
             Lori I. Valenzuela, Justice

Delivered and Filed: August 10, 2022

DISMISSED

Appellant Leticia Ann Perez entered into a plea bargain with the State pursuant to which she pleaded nolo contendere to robbery. The trial court imposed sentence in accordance with the agreement and signed a certificate stating this "is a plea-bargain case, and the defendant has NO right of appeal." *See* TEX. R. APP. P. 25.2(a)(2). Appellant filed a notice of appeal, and the district clerk filed a copy of the clerk's record, which includes the trial court's Rule 25.2(a)(2) certification and a written plea bargain agreement. *See id.* R. 25.2(d). We must dismiss an appeal "if a

certification that shows the defendant has the right of appeal has not been made part of the record."

Id.

Here, the clerk's record establishes that the punishment assessed by the trial court does not exceed the punishment recommended by the prosecutor and agreed to by appellant. *See id.* R. 25.2(a)(2). The record also supports the trial court's certification that appellant does not have a right to appeal. *See Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005) (holding that court of appeals should review clerk's record to determine whether trial court's certification is accurate). We therefore issued an order notifying appellant that we would dismiss this appeal pursuant to Rule 25.2(d) of the Texas Rules of Appellate Procedure unless an amended certification showing that appellant has the right to appeal was made part of the appellate record by August 1, 2022. No amended certification was filed. Accordingly, we dismiss this appeal. *See* TEX. R. APP. P. 25.2(d).

PER CURIAM

DO NOT PUBLISH