

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-08-425 CR**

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**MARVIN STACY SIMS, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court  
Jefferson County, Texas  
Trial Court No. 08-04030**

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**MEMORANDUM OPINION**

On August 25, 2008, the trial court sentenced Marvin Stacy Sims as a prior felony offender on a conviction for burglary of a building. Sims filed a notice of appeal on October 1, 2008. The trial court entered a certification of the defendant's right to appeal in which the court certified that this is a plea-bargain case and the defendant has no right of appeal. *See* TEX. R. APP. P. 25.2(a)(2). The district clerk has provided the trial court's certification to the Court of Appeals.

On October 3, 2008, we notified the parties that we would dismiss the appeal unless an amended certification was filed within fifteen days of the date of the notice and made a part of the appellate record. *See* TEX. R. APP. P. 25.2(f). The record has not been supplemented with an amended certification.

Because the record does not contain a certification that shows the defendant has the right of appeal, we must dismiss the appeal. *See* TEX. R. APP. P. 25.2(d). Accordingly, we dismiss the appeal for want of jurisdiction.

APPEAL DISMISSED.

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DAVID GAULTNEY  
Justice

Opinion Delivered November 19, 2008  
Do Not Publish

Before Gaultney, Kreger, and Horton, JJ.