

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

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**NO. 09-09-00357-CR**

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**JOSEPH KARL BARKER a/k/a JOE BARKER**  
**a/k/a JOSEPH K. BARKER, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the Criminal District Court**  
**Jefferson County, Texas**  
**Trial Cause No. 09-05811**

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**MEMORANDUM OPINION**

On July 6, 2009, the trial court sentenced Joseph Karl Barker a/k/a Joe Barker a/k/a Joseph K. Barker on a conviction for burglary of a habitation. Barker filed a notice of appeal on July 29, 2009. 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 August 4, 2009, we notified the parties that we

would dismiss the appeal unless the appellant established grounds for continuing the appeal. No response has been filed. 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.

APPEAL DISMISSED.

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HOLLIS HORTON  
Justice

Opinion Delivered August 26, 2009  
Do Not Publish  
Before McKeithen, C.J., Gaultney and Horton, JJ.