

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-10-00485-CR

DANIEL ALLEN, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 356th District Court
Hardin County, Texas
Trial Cause No. 20611

MEMORANDUM OPINION

On October 1, 2010, the trial court sentenced Daniel Allen on a conviction for arson of a place of worship. Allen filed a notice of appeal on October 18, 2010. 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 29, 2010, we notified the parties that we would dismiss the appeal unless the appellant established grounds for continuing the appeal. The appellant

requested additional time to present a motion for new trial to the trial court. Appellant has not established that the trial court's certification should be amended. 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.

CHARLES KREGER
Justice

Opinion Delivered January 19, 2011
Do Not Publish

Before Gaultney, Kreger, and Horton, JJ.