

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-11-00140-CV

IN RE CHAD AREHART

Original Proceeding

MEMORANDUM OPINION

Chad Arehart filed a petition for writ of mandamus, in which he complains that the trial court abused its discretion by refusing to amend its certification in Arehart's criminal case to reflect that Arehart has the right of appeal. Specifically, Arehart contends that he raised a speedy trial issue in a written motion that was ruled upon, and that he may therefore appeal that issue.

A defendant in a non-capital case may waive any rights secured to him by law. Tex. Code Crim. Proc. Ann. art. 1.14 (West 2005). The record in Arehart's underlying criminal case, cause number 09-11-067-CR, reflects that Arehart signed written plea admonishments as well as the trial court's certification, both of which affirmatively state that Arehart waived the right of appeal. Therefore, Arehart has not demonstrated that he is clearly entitled to mandamus relief from this Court. *See State ex rel. Hill v. Court of*

Appeals for the Fifth Dist., 34 S.W.3d 924, 927 (Tex. Crim. App. 2001) (To demonstrate entitlement to a writ of mandamus, a relator must establish that the trial court failed to perform a ministerial duty, and that the relator has no other adequate legal remedy.). Accordingly, we deny relief on the petition for writ of mandamus.

PETITION DENIED.

PER CURIAM

Submitted on April 1, 2011
Opinion Delivered April 14, 2011

Before McKeithen, C.J., Gaultney and Kreger, JJ.