

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

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**NO. 09-15-00043-CR**

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**TIMOTHY SCOTT MURPHY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 260th District Court**  
**Orange County, Texas**  
**Trial Cause No. D-140,239-R**

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**MEMORANDUM OPINION**

On December 16, 2014, the trial court sentenced Timothy Scott Murphy on a conviction for possession of a controlled substance. Murphy filed a notice of appeal on January 16, 2015. The trial court signed a certification in which the court certified that this is a plea-bargain case and the defendant has no right of appeal, and that the defendant waived the 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 January 28, 2015, we notified the parties that we would dismiss the

appeal unless the appellant established that the certification is incorrect.<sup>1</sup> No response has been filed. Because the trial court's certification shows the defendant does not have 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

Submitted on March 3, 2015  
Opinion Delivered March 4, 2015  
Do Not Publish

Before Kreger, Horton, and Johnson, JJ.

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<sup>1</sup>We also notified the parties that a motion for extension of time was required because Murphy filed his notice of appeal more than thirty days after the date of sentencing. *See generally* Tex. R. App. P. 26.2(a)(1), 26.3. He did not file a motion for extension of time. The appeal is subject to dismissal for want of jurisdiction. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998).