

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-18-00162-CR

DAMIEN LATERELL HOLLINS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 435th District Court
Montgomery County, Texas
Trial Cause No. 12-08-08288-CR

MEMORANDUM OPINION

On July 18, 2013, the trial court sentenced Damien Laterell Hollins on a conviction for aggravated robbery. Hollins filed a notice of appeal on April 19, 2018. 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. *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 April 25, 2018, we notified the parties that we would dismiss the appeal unless the appellant established that the certification is incorrect. In a separate notice

we notified the parties that the notice of appeal was filed outside the time for which an extension of time may be granted for filing a notice of appeal. *See* Tex. R. App. P. 26.2(a)(1), 26.3. The appellant did not file a response to this Court’s notices.

“The appeal must be dismissed if a certification that shows the defendant has the right of appeal has not been made part of the record under these rules.” Tex. R. App. P. 25.2(d). Furthermore, a notice of appeal must be filed within thirty days of the date of sentencing and no extension may be granted unless a notice of appeal and a motion for extension of time is filed within fifteen days of the deadline for filing the notice of appeal. Tex. R. App. P. 26.2(a)(1), 26.3. Accordingly, we dismiss the appeal.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on May 22, 2018
Opinion Delivered May 23, 2018
Do Not Publish

Before Kreger, Horton and Johnson, JJ.