

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-21-00265-CR

JOSE OSWALDO CRUZ, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 221st District Court
Montgomery County, Texas
Trial Cause No. 20-07-08459-CR**

MEMORANDUM OPINION

On April 13, 2021, the trial court sentenced Jose Oswaldo Cruz, Appellant, on a conviction for continuous sexual abuse of a child. Cruz filed a notice of appeal on August 27, 2021. 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 September 1, 2021, we notified the parties that we would dismiss the appeal unless the appellant established grounds for continuing the appeal. Because the record does not contain a certification that shows Cruz has the right of appeal, we must dismiss the appeal. *See* Tex. R. App. P. 25.2(d). Moreover, Cruz filed the notice of appeal after his conviction became final and too late to perfect an appeal. *See* Tex. R. App. P. 26.2. Accordingly, we dismiss the appeal.

APPEAL DISMISSED.

PER CURIAM

Submitted on October 12, 2021
Opinion Delivered October 13, 2021
Do Not Publish

Before Golemon, C.J., Kreger and Horton, JJ.