

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

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**NO. 09-23-00180-CR**

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**TEVIN DAMON MCGHEE, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 252nd District Court**  
**Jefferson County, Texas**  
**Trial Cause No. F21-38632**

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**MEMORANDUM OPINION**

On May 3, 2023, the trial court sentenced Tevin Damon McGhee on an indictment for burglary of a habitation. The trial court signed a certification in which the trial court certified that this is a plea-bargain case and McGhee has no right of appeal.<sup>1</sup> On May 26, 2023, McGhee filed a notice of appeal pro se. The District Clerk provided the certification to the Court of Appeals.

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<sup>1</sup>See Tex. R. App. P. 25.2(a)(2).

On June 28, 2023, we notified the parties that we would dismiss the appeal unless the appellant established the certification was incorrect. McGhee, through appointed counsel, requested additional time to obtain an amended certification. In a response, the State asserted McGhee pleaded guilty in exchange for the dismissal of five other cases. On July 18, 2023, the trial court denied McGhee's motion to amend the certification and reaffirmed that the case was a plea-bargain case with no right of appeal.

McGhee failed to establish that the certification that McGhee has no right of appeal is incorrect. We dismiss the appeal.<sup>2</sup>

APPEAL DISMISSED.

PER CURIAM

Submitted on August 8, 2023  
Opinion Delivered August 9, 2023  
Do Not Publish

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

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<sup>2</sup>*See id.* 25.2(d).