



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 02-13-00143-CR

JEFFREY WAYNE COLE

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM CRIMINAL DISTRICT COURT NO. 3 OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Jeffrey Wayne Cole attempts to appeal from his conviction for failure to register as a sex offender. See Tex. Code Crim. Proc. Ann. art. 62.102(a) (West 2006). The original certification of his right to appeal stated that this “is a plea-bargain case, and the defendant has NO right of appeal.” See Tex. R. App. P. 25.2(a)(2). On April 15, 2013, we notified Cole that the appeal

¹See Tex. R. App. P. 47.4.

would be dismissed pursuant to the certification unless he or any party desiring to continue the appeal filed a response showing grounds for continuing the appeal. See Tex. R. App. P. 25.2(d), 44.3. Cole filed a response in which he contended that dismissal would be premature because after the trial court signed the original certification, he requested permission to appeal and the trial court appointed him appellate counsel; therefore, according to Cole, the trial court could have meant to impliedly grant him permission to appeal. We consequently abated the appeal for the limited purpose of securing an amended certification of Cole's right to appeal, and the trial court thereafter entered an amended certification. Like the original certification, the trial court's amended certification states that this "is a plea-bargain case, and the defendant has NO right of appeal." See Tex. R. App. P. 25.2(a)(2). Accordingly, in light of the trial court's amended certification clarifying that Cole has no right of appeal, and in accordance with the certification, we dismiss this appeal. See Tex. R. App. P. 43.2(f).

PER CURIAM

PANEL: MEIER, J.; LIVINGSTON, C.J.; and GABRIEL, J.

DO NOT PUBLISH
Tex. R. App. P. 47.2(b)

DELIVERED: July 3, 2013