



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

NO. 02-13-00371-CR

TERRY MICHEAL SIMS

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 396TH DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹

Appellant Terry Micheal Sims attempts to appeal his conviction for indecency with a child, which was enhanced by prior convictions and for which he negotiated a guilty plea in exchange for ten years' confinement.

On August 13, 2013, this court sent the parties a letter stating that the trial court's certification of Appellant's right to appeal states that this is a plea-bargain

¹See Tex. R. App. P. 47.4.

case and Appellant has no right of appeal. See Tex. R. App. P. 25.2(a)(2). We informed the parties that this appeal may be dismissed unless Appellant or any party desiring to continue the appeal filed with the court, on or before Friday, August 23, 2013, a response showing grounds for continuing the appeal. See Tex. R. App. P. 25.2(d), 44.3. We have received no response.

Rule 25.2(a)(2) of the rules of appellate procedure provides that in a plea-bargain case, an appellant may appeal only “those matters that were raised by written motion filed and ruled on before trial” or “after getting the trial court’s permission to appeal.” Tex. R. App. P. 25.2(a)(2). Here, the record shows that Appellant waived all pretrial motions, and the trial court has not consented to an appeal. Accordingly, we dismiss this appeal. See Tex. R. App. P. 25.2(a)(2), (d), 43.2(f).

PER CURIAM

PANEL: GARDNER, WALKER, and MCCOY, JJ.

DO NOT PUBLISH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

DELIVERED: December 5, 2013