



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

**NO. 02-15-00124-CR**

ELLIOT VANCE SIRBAUGH

APPELLANT

V.

THE STATE OF TEXAS

STATE

-----

FROM CRIMINAL DISTRICT COURT NO. 3 OF TARRANT COUNTY  
TRIAL COURT NO. 1379759D

-----

**MEMORANDUM OPINION<sup>1</sup>**

-----

Pursuant to a plea bargain, Appellant Elliot Vance Sirbaugh pleaded guilty to reckless bodily injury to an elderly person, a state jail felony. See Tex. Penal Code Ann. § 22.04(a), (g) (West Supp. 2014). In accordance with the plea bargain, the trial court convicted Appellant of the offense and sentenced him to one year's confinement.

---

<sup>1</sup>See Tex. R. App. P. 47.4.

The trial court's certification states that the case was plea-bargained and that Appellant has no right of appeal and that Appellant had waived the right of appeal. On April 21, 2015, we notified Appellant that this appeal may be dismissed based on the trial court's certification unless he or any party desiring to continue the appeal filed a response on or before May 1, 2015, showing grounds for continuing the appeal. See Tex. R. App. P. 25.2(a)(2), (d). No response has been filed.

Therefore, in accordance with the trial court's certification, we dismiss this appeal. See Tex. R. App. P. 25.2(d), 43.2(f).

/s/ Lee Gabriel

LEE GABRIEL  
JUSTICE

PANEL: LIVINGSTON, C.J.; GABRIEL and SUDDERTH, JJ.

DO NOT PUBLISH  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

DELIVERED: July 16, 2015