



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

NO. 02-15-00125-CR

ZINA LAPAZ BISHOP

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 371ST DISTRICT COURT OF TARRANT COUNTY
TRIAL COURT NO. 1384629D

MEMORANDUM OPINION¹

Appellant Zina Lapaz Bishop attempts to appeal from her conviction for attempted possession of a controlled substance by fraud, namely: codeine. Tex. Health & Safety Code Ann. § 481.129(a)(4) (West Supp. 2014). Bishop entered an open plea of guilty, and the trial court sentenced her to eight months' confinement in state jail. Pursuant to the written plea admonishments that were

¹See Tex. R. App. P. 47.4.

signed by Bishop and her attorney, Bishop waived her right to appeal. The trial court's amended certification states that "the defendant has waived the right of appeal."

On July 31, 2015, we notified Bishop that this appeal could be dismissed based on the trial court's certification unless she or any party desiring to continue the appeal filed a response on or before August 10, 2015, showing grounds for continuing the appeal. See Tex. R. App. P. 25.2(d), 44.3. No response has been filed.

In accordance with the trial court's certification, we therefore dismiss this appeal. See Tex. R. App. P. 25.2(d), 43.2(f).²

/s/ Sue Walker
SUE WALKER
JUSTICE

PANEL: WALKER, MEIER, and GABRIEL, JJ.

DO NOT PUBLISH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

DELIVERED: September 3, 2015

²Before we received the trial court's amended certification, Bishop's counsel filed "Appellant's Brief filed in part pursuant to *Anders v. California*" and a motion to withdraw. Because we dismiss the appeal based on the trial court's certification, we need not consider Bishop's counsel's brief, and we deny Bishop's counsel's motion to withdraw as moot. See *Garcia v. State*, No. 04-04-00716-CR, 2005 WL 709143, at *1 (Tex. App.—San Antonio Mar. 30, 2005, no pet.) (mem. op., not designated for publication) (dismissing appeal based on trial court's certification, not considering the *Anders* brief, and denying counsel's motion to withdraw as moot).