



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

**NO. 02-17-00008-CR**

CINDY HANES SCEARCE A.K.A.  
CINDY A. HANES

APPELLANT

V.

THE STATE OF TEXAS

STATE

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FROM THE 297TH DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NO. 1405204D

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**MEMORANDUM OPINION<sup>1</sup>**  
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On November 29, 2016, the trial court revoked Appellant Cindy Hanes Searce a.k.a. Cindy A. Hanes's deferred-adjudication community supervision, adjudicated her guilty of the state-jail felony offense of forgery by possession of a check with intent to pass, and sentenced her to six months' confinement. See Tex. Penal Code Ann. § 32.21(b), (d) (West 2016). That same day, the trial

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

court entered its certification of Hanes's right to appeal. See Tex. R. App. P. 25.2(a)(2). The certification states that "the defendant has waived the right to appeal."

On December 28, 2016, Hanes filed a pro se notice of appeal. On January 6, 2017, we notified Hanes and her court-appointed counsel that the certification indicating that she waived the right to appeal had been filed in this court and that this appeal could be dismissed unless she or any party desiring to continue the appeal filed, by January 17, 2017, a response showing grounds for continuing the appeal. See Tex. R. App. P. 25.2(d), 44.3. On January 17, 2017, Hanes's court-appointed counsel filed a letter stating that the trial court's certification indicates that Hanes waived her right to appeal, and that after examining the trial court's record, he did not find any amendments to that certification. No other response showing grounds to continue this appeal has been filed. Thus, because the trial court's certification affirmatively shows that Hanes has waived the right to appeal, we dismiss the appeal. See Tex. R. App. P. 43.2(f); *Villagomez v. State*, No. 02-14-00439-CR, 2014 WL 7204521, at \*1 (Tex. App.—Fort Worth Dec. 18, 2014, no pet.) (mem. op., not designated for publication); *Hill v. State*, 929 S.W.2d 607, 609 (Tex. App.—Waco 1996, no pet.).

/s/ Lee Gabriel

LEE GABRIEL  
JUSTICE

PANEL: GABRIEL, SUDDERTH, and KERR, JJ.

DO NOT PUBLISH  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

DELIVERED: February 2, 2017