



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

**NO. 02-17-00390-CR**

JAMES WILSON PIERCE

APPELLANT

V.

THE STATE OF TEXAS

STATE

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FROM THE 297TH DISTRICT COURT OF TARRANT COUNTY  
TRIAL COURT NO. 1509639D

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**MEMORANDUM OPINION<sup>1</sup>**  
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On November 17, 2017, as part of a plea-bargain agreement, appellant James Wilson Pierce pleaded guilty to theft. See Tex. Penal Code Ann. § 31.03(a), (e)(4)(D) (West Supp. 2017). In accordance with the agreement, the trial court sentenced Pierce to seven months' confinement. The trial court certified that Pierce had no right to appeal. See Tex. R. App. P. 25.2(a)(2).

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

On November 22, 2017, Pierce filed a pro se notice of appeal in the trial court. See Tex. R. App. P. 25.2(c), 26.2. On December 4, 2017, we notified Pierce that the trial court had certified that he had no right to appeal and that we would dismiss his appeal 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. Pierce responded, but his response does not show grounds for continuing the appeal.

The record does not show that Pierce's punishment exceeded the punishment recommended by the prosecutor and agreed to by Pierce, that Pierce desires to appeal a matter that was raised by written motion filed and ruled on before trial, or that the trial court granted Pierce permission to appeal. See Tex. R. App. P. 25.2(a)(2). Thus, in accordance with the trial court's certification, we dismiss this appeal. See Tex. R. App. P. 25.2(d), 43.2(f); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

/s/ Lee Gabriel

LEE GABRIEL  
JUSTICE

PANEL: GABRIEL, KERR, and PITTMAN, JJ.

DO NOT PUBLISH  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

DELIVERED: December 21, 2017