



**In the
Court of Appeals
Second Appellate District of Texas
at Fort Worth**

No. 02-19-00054-CR

MICHAEL J. HARDEN, Appellant

V.

THE STATE OF TEXAS

On Appeal from the 297th District Court
Tarrant County, Texas
Trial Court No. 1561348D

Before Birdwell, Bassel, and Womack, JJ.
Per Curiam Memorandum Opinion

MEMORANDUM OPINION

In accordance with a plea bargain, the trial court convicted appellant Michael J. Harden of possession of less than one gram of methamphetamine and imposed a sentence confining him for ten months in state jail. Harden filed a pro se notice of appeal stating that he intended to appeal an issue that he raised by pretrial written motion and that the trial court had ruled on. The trial court's certification of Harden's right to appeal, however, indicates that this is a plea bargain case and Harden has "NO right of appeal."

Although we notified Harden and his trial counsel that we could dismiss the appeal based on the certification, neither has responded. *See* Tex. R. App. 25.2(d), 44.3.

Not only did Harden waive any pretrial motions as part of his plea bargain agreement, *see Hall v. State*, Nos. 02-17-00311–314-CR, 2017 WL 6615888, at *1 (Tex. App.—Fort Worth Dec. 21, 2017, no pet.) (mem. op., not designated for publication), the clerk's record does not show that the trial court ruled on any of the pretrial motions Harden filed. Therefore, in accordance with the trial court's certification, we dismiss this appeal. *See* Tex. R. App. P. 25.2(a), (d), 43.2(f); *Chavez v. State*, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006).

Per Curiam

Do Not Publish
Tex. R. App. P. 47.2(b)

Delivered: May 2, 2019