



**In The  
Court of Appeals  
Seventh District of Texas at Amarillo**

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No. 07-17-00302-CR

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**MARK DEWAYNE HALLCY, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 64th District Court  
Hale County, Texas  
Trial Court No. A20335-1612, Honorable Robert W. Kinkaid, Jr., Presiding

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September 12, 2017

**MEMORANDUM OPINION**

Before **CAMPBELL** and **PIRTLE** and **PARKER, JJ.**

Pursuant to a plea bargain agreement, appellant Mark Dewayne Hallcy was convicted of aggravated assault with a deadly weapon,<sup>1</sup> sentenced to eight years imprisonment, and assessed a \$3,000 fine. The trial court's certification of appellant's right of appeal reflects that appellant's case is a plea-bargain case with no right of appeal. See TEX. R. APP. P. 25.2(a)(2), (d). Notwithstanding the certification, appellant filed a *pro se* notice of appeal challenging his conviction.

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<sup>1</sup> TEX. PENAL CODE ANN. § 22.02(a)(2) (West 2011).

By letter dated August 18, 2017, we notified appellant of the consequences of the certification and invited him to file an amended certification showing a right of appeal or demonstrate other grounds for continuing the appeal on or before September 1. Appellant has filed a request for appointment of appellate counsel, but did not file an amended certification reflecting a right of appeal or a response establishing grounds for continuing the appeal.

For that reason, appellant's request for appointed counsel is denied and the appeal is dismissed. See TEX. R. APP. P. 25.2(d) ("The appeal must be dismissed if a certification that shows the defendant has the right of appeal has not been made part of the record under these rules").

James T. Campbell  
Justice

Do not publish.