



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

No. 07-18-00249-CR

RANDALL CAMPBELL, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 181st District Court
Randall County, Texas
Trial Court No. 28,441-B, Honorable John B. Board, Presiding

August 16, 2018

MEMORANDUM OPINION

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

Pursuant to a plea bargain agreement, appellant Randall Campbell was convicted of possession of a controlled substance in an amount less than one gram,¹ sentenced to fifteen months' confinement, and assessed a \$1,000 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 and that appellant waived the right of appeal. See TEX. R. APP. P.

¹ TEX. HEALTH & SAFETY CODE ANN. § 481.115(b) (West 2017) (a state jail felony).

25.2(a)(2), (d). Notwithstanding the certification, appellant filed a *pro se* notice of appeal challenging his conviction² and later filed a *Motion to Quash Indictment*.

We are required by appellate rule 25.2(d) to dismiss an appeal “if a certification that shows the defendant has the right of appeal has not been made part of the record.” TEX. R. APP. P. 25.2(d). By letter dated July 31, 2018, 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 August 13. Appellant filed a response but did not file an amended certification reflecting a right of appeal or establish grounds for continuing the appeal.

Accordingly, the appeal is dismissed and appellant’s *Motion to Quash Indictment* is moot. See TEX. R. APP. P. 25.2(d).

Judy C. Parker
Justice

Do not publish.

² Appellant filed his notice of appeal with the Potter County district clerk on June 6, 2018. See TEX. R. APP. P. 25.2(c), 9.2(b) (mailbox rule). The notice did not identify a trial court or trial court cause number. The district clerk forwarded a copy of the notice to this Court for filing, along with a copy of appellant’s judgment of conviction in trial court cause number 74,127-D in the 320th District Court for Potter County. On July 23, 2018, appellant filed a letter with the Court clarifying his intent to appeal his criminal conviction in trial court cause number 28,441-B in the 181st District Court for Randall County. The Court construed this filing as an amended notice of appeal. See TEX. R. APP. P. 25.2(f); *Few v. State*, 230 S.W.3d 184, 190 (Tex. Crim. App. 2007).