



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

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No. 07-19-00126-CR

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**FRITZ KEITH PETERS, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 385th District Court  
Midland County, Texas  
Trial Court No. CR48226, Honorable Jeffrey Todd Robnett, Presiding

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**June 17, 2019**

**ORDER OF ABATEMENT AND REMAND**

**Before QUINN, C.J., and CAMPBELL and PARKER, JJ.**

Appellant Fritz Keith Peters appeals his conviction for forgery of a financial instrument. The trial court's certification of appellant's right of appeal reflects that this is a plea-bargain case with no right of appeal and that appellant has waived the right of appeal. See TEX. R. APP. P. 25.2(a)(2), (d). However, the certification appears defective. Appellant pled not guilty to the charged offense and the case was tried to a jury. After his conviction but prior to sentencing, appellant entered into a plea bargain agreement with the State. The trial court accepted the plea bargain and sentenced appellant accordingly.

The record reflects that appellant waived his right to appeal the trial court's sentence as part of the plea-bargain agreement, but did not waive his right to appeal his conviction.

Accordingly, we abate the appeal and remand the cause to the trial court to prepare an amended certification of appellant's right of appeal consistent with the record. See TEX. R. APP. P. 25.2(f); *Dears v. State*, 154 S.W.3d 610, 613-14 (Tex. Crim. App. 2005) (requiring an appellate court to determine whether the trial court's certification comports to the record). The trial court shall utilize reasonable means to secure appellant's signature on the amended certification. See TEX. R. APP. P. 25.2(d). The amended certification shall be included in a supplemental clerk's record filed with this Court by July 12, 2019. Should further time be needed to perform these tasks, then same must be requested before July 12, 2019.

It is so ordered.

Per Curiam

Do not publish.