



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

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No. 07-20-00254-CR

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**MATTHEW PAUL CRUZ, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 286th District Court  
Hockley County, Texas  
Trial Court No. 18-05-9355, Honorable Pat Phelan, Presiding

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October 23, 2020

**MEMORANDUM OPINION**

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

Pursuant to a plea bargain agreement, Appellant Matthew Paul Cruz was convicted of murder<sup>1</sup> and sentenced to twenty-five years' confinement. The trial court's certification of Appellant's right of appeal reflects that this is a plea bargain case from which Appellant has no right of appeal and that Appellant has waived the right of appeal. Notwithstanding the certification, Appellant filed a notice of appeal, pro se, challenging

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<sup>1</sup> TEX. PENAL CODE ANN. § 19.02(c) (West 2019).

his conviction. Now pending before this Court is the State's motion to dismiss the appeal based on the certification.

We are required by Rule of Appellate Procedure 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." By letter of September 28, 2020, we notified Appellant of the consequences of the trial court's certification and directed him to file a response demonstrating grounds for continuing the appeal by October 13, 2020. Appellant has not filed a response to date.

Accordingly, we grant the State's motion and dismiss the appeal pursuant to Rule of Appellate Procedure 25.2(d).

Per Curiam

Do not publish.