



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

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No. 07-22-00327-CR

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**NICHOLAS VERNELL BLAIR, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

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On Appeal from the 108th District Court  
Potter County, Texas  
Trial Court No. 80,809-E-CR, Honorable Dee Johnson, Presiding

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December 15, 2022

**MEMORANDUM OPINION**

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

Pursuant to a plea bargain agreement, Appellant, Nicholas Vernell Blair, was convicted of evading arrest or detention<sup>1</sup> and sentenced to two years' confinement.<sup>2</sup> 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. The certification comports with the

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<sup>1</sup> See TEX. PENAL CODE ANN. § 38.04(b)(2)(A).

<sup>2</sup> The Court notes that a judgment nunc pro tunc was signed by the trial court on November 7, 2022, correcting Appellant's sentence.

record before the Court. Notwithstanding the certification, Appellant filed a notice of appeal, pro se, challenging his conviction.<sup>3</sup>

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 November 14, 2022, 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 November 28. To date, Appellant has not filed a response or had any further communication with this Court.

Accordingly, we dismiss the appeal based on the trial court’s certification. See TEX. R. APP. P. 25.2(d).

Per Curiam

Do not publish.

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<sup>3</sup> Appellant filed a document on November 3, 2022, which the Court has construed as a notice of appeal from the trial court’s judgment of conviction and sentence.