



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-09-00120-CR

CARLA JO KECK, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the County Court at Law No. 2
Hunt County, Texas
Trial Court No. CR900913

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Carter

MEMORANDUM OPINION

Carla Jo Keck has filed a notice of appeal from her conviction for possession of a dangerous drug. On our review of the clerk's record, we noted that the trial court's certification of right of appeal stated that this was a plea agreement case and that Keck has no right of appeal.

Unless a certification, showing that a defendant has the right of appeal, is in the record, we must dismiss the appeal. *See* TEX. R. APP. P. 25.2(d).

We sent a letter to Keck's counsel, informing him of the defect in the record and requesting counsel to show this Court how we had jurisdiction over the appeal. Counsel has now verified that this was a plea agreement case.

Because the trial court's certification affirmatively shows Keck has no right of appeal, because Keck's counsel has verified that this was a plea bargain case, and because the record before us does not reflect that the certification is incorrect, *see Dears v. State*, 154 S.W.3d 610, 615 (Tex. Crim. App. 2005), we must dismiss the appeal.

We dismiss the appeal for want of jurisdiction.

Jack Carter
Justice

Date Submitted: July 8, 2009
Date Decided: July 9, 2009

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