



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

No. 06-13-00014-CR

LAKERRY DEVONERICH BOWIE, Appellant

V.

STATE OF TEXAS, Appellee

On Appeal from the 241st District Court
Smith County, Texas
Trial Court No. 241-0134-12

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

MEMORANDUM OPINION

LaKerry Devonerich Bowie has filed a notice of appeal from his conviction of violation of the civil rights of a person in custody.¹ We received the clerk's record in this matter on March 4, 2013. After reviewing the record, we discovered that the trial court's certification of defendant's right of appeal indicated that Bowie had waived his 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). By letter dated March 4, we informed appellant of this potential jurisdictional defect and afforded him ten days in which to respond. We have received nothing from appellant.

Because the trial court's certification affirmatively shows that Bowie has waived his right of appeal 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.

Bailey C. Moseley
Justice

Date Submitted: March 28, 2013
Date Decided: March 29, 2013

Do Not Publish

¹Originally appealed to the Twelfth Court of Appeals, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. *See* TEX. GOV'T CODE ANN. § 73.001 (West 2005). We are unaware of any conflict between precedent of the Twelfth Court of Appeals and that of this Court on any relevant issue. *See* TEX. R. APP. P. 41.3.