



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

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No. 06-18-00080-CR

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JUDDSON MALONEY, Appellant

V.

THE STATE OF TEXAS, Appellee

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On Appeal from the 8th District Court  
Hopkins County, Texas  
Trial Court No. 1524589

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

## MEMORANDUM OPINION

On April 10, 2018, Juddson Maloney was adjudicated guilty of the offense of indecency with a child by sexual contact and was sentenced to thirteen years' incarceration. On May 9, 2018, Maloney timely filed his notice of appeal from the April 10 judgment. The trial court's certification of defendant's right of appeal, however, indicates that Maloney has waived his right of appeal. That certification is supported by an express, written waiver of Maloney's right of appeal.

Pursuant to Rule 25.2(d) of the Texas Rules of Appellate Procedure, this Court must dismiss an appeal if, as in this case, the trial court's certification indicates that there is no right of appeal or that the right of appeal has been waived. *See* TEX. R. APP. P. 25.2(d).

By letter dated June 13, 2018, we notified Maloney of this potential defect in our jurisdiction and afforded him the opportunity to respond. Maloney did not respond to our jurisdictional defect letter.

Because the trial court certified that Maloney has no right of appeal due to waiver, and because that certification is supported by Maloney's express, written waiver of his right of appeal, Maloney has no right of appeal.

Consequently, we dismiss the appeal for want of jurisdiction.

Bailey C. Moseley  
Justice

Date Submitted: July 5, 2018  
Date Decided: July 6, 2018

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