



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

No. 06-23-00030-CR

LAUREN MARIE HOPFENSPIRGER, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 336th District Court
Fannin County, Texas
Trial Court No. CR-20-27706

Before Stevens, C.J., van Cleef and Rambin, JJ.
Memorandum Opinion by Justice van Cleef

MEMORANDUM OPINION

Pursuant to an agreement with the State, Lauren Marie Hopfenspirger entered an open plea of guilty to family violence assault by impeding the normal breathing or circulation of the blood of the person by blocking the complainant's nose or mouth.¹ After a unitary hearing, the trial court found Hopfenspirger guilty and sentenced her to ten years' imprisonment. On appeal,² Hopfenspirger asserts that, by finding her guilty of the lesser-included offense of attempt to intentionally or knowingly cause serious injury to a child in our cause number 06-23-00031-CR, the trial court went beyond her agreement with the State and violated her due process right to withdraw her guilty pleas in this case, as well as that case. In her second issue, Hopfenspirger asserts that the trial court did not have jurisdiction because the indictment charged a misdemeanor.

Hopfenspirger asserted her first issue in her appeal in cause number 06-23-00029-CR, and we determined that we lacked jurisdiction over that appeal. For the reasons stated therein, we likewise conclude that we lack jurisdiction over this appeal.

¹See TEX. PENAL CODE ANN. § 22.01(b)(2)(B) (Supp.).

²In our cause number 06-23-00029-CR, Hopfenspirger appeals her conviction for aggravated assault with a deadly weapon. In our cause number 06-23-00031-CR, she appeals her conviction for attempt to intentionally or knowingly cause serious injury to a child.

We dismiss this appeal for want of jurisdiction.

Charles van Cleef
Justice

Date Submitted: August 28, 2023

Date Decided: August 29, 2023

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