



IN THE  
TENTH COURT OF APPEALS

No. 10-16-00381-CR

EARNEST DEMARK FRAZIER, JR.,

Appellant

v.

THE STATE OF TEXAS,

Appellee

From the 77th District Court  
Limestone County, Texas  
Trial Court No. 12331-A

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MEMORANDUM OPINION

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Appellant Earnest Demark Frazier, Jr., has filed a notice of appeal from the trial court's judgment of conviction against him for indecency with a child by exposure. The trial court's certification of defendant's right of appeal indicates that Frazier waived his right of appeal and that this "is a plea-bargain case, and the defendant has NO right of appeal." This appeal is therefore dismissed.<sup>1</sup> See TEX. R. APP. P. 25.2(d); *Chavez v. State*,

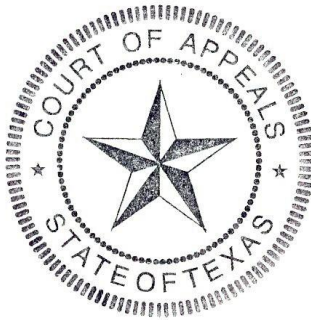
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<sup>1</sup> A motion for rehearing may be filed within 15 days after the judgment or order of this Court is rendered. See TEX. R. APP. P. 49.1. If the appellant desires to have the decision of this Court reviewed by filing a

183 S.W.3d 675, 680 (Tex. Crim. App. 2006) (“A court of appeals ... must dismiss a prohibited appeal without further action, regardless of the basis for the appeal.”); *Davis v. State*, 205 S.W.3d 606, 607 (Tex. App.—Waco 2006, no pet.).

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed November 23, 2016  
Do not publish  
[CR25]



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petition for discretionary review, that petition must be filed in the Court of Criminal Appeals within 30 days after either the day the court of appeals' judgment was rendered or the day the last timely motion for rehearing was overruled by the court of appeals. *See* TEX. R. APP. P. 68.2(a).