

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-01-00418-CR

Blane Taylor Allen, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF HAYS COUNTY, 22ND JUDICIAL DISTRICT
NO. CR-01-122, HONORABLE CHARLES R. RAMSAY, JUDGE PRESIDING**

PER CURIAM

Appellant Blane Taylor Allen pleaded guilty to burglary of a habitation and unauthorized use of a motor vehicle. *See* Tex. Pen. Code Ann. §§ 30.02 (West Supp. 2001), 31.07 (West 1994). As called for in a plea bargain agreement, the district court assessed ten- and two-year terms of imprisonment and fines of \$1500, but suspended imposition of sentence and placed appellant on community supervision. Appellant filed a general notice of appeal.

When a defendant pleads guilty to a felony and the punishment assessed does not exceed that recommended by the prosecutor and agreed to by the defendant, the notice of appeal must state that the appeal is for a jurisdictional defect, or that the substance of the appeal was raised by written motion and ruled on before trial, or that the trial court granted permission to appeal. Tex. R. App. P. 25.2(b)(3). Appellant's notice of appeal does not comply with this rule and fails to confer

jurisdiction on this Court. *Whitt v. State*, 45 S.W.3d 274, 275 (Tex. App.—Austin 2001, no pet.);
see also Cooper v. State, 45 S.W.3d 77, 80-81 (Tex. Crim. App. 2001).

The appeal is dismissed for want of jurisdiction.

Before Justices Kidd, Yeakel and Patterson

Dismissed for Want of Jurisdiction

Filed: November 1, 2001

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