

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-02-00234-CR

Thomas Hunter, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 299TH JUDICIAL DISTRICT
NO. 2010995, HONORABLE JON N. WISSER, JUDGE PRESIDING**

Appellant pleaded guilty to cocaine delivery enhanced by two previous felony convictions. *See* Tex. Health & Safety Code Ann. ' 481.112 (West Supp. 2002). The district court adjudged him guilty and assessed punishment at imprisonment for three years, as called for in a plea bargain agreement. 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); *see Cooper v. State*, 45 S.W.3d 77, 79 (Tex. Crim. App. 2001) (rule 25.2(b) limits appeal in every plea bargain, felony case). 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. CAustin 2001, no pet.).

The appeal is dismissed for want of jurisdiction.

Bea Ann Smith, Justice

Before Chief Justice Aboussie, Justices B. A. Smith and Yeakel

Dismissed for Want of Jurisdiction

Filed: May 2, 2002

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