

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-02-00647-CR**

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**Gary Beauchamp, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF WILLIAMSON COUNTY, 277TH JUDICIAL DISTRICT  
NO. 01-532-K277, HONORABLE MICHAEL JERGENS, JUDGE PRESIDING**

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Appellant Gary Beauchamp pleaded guilty to aggravated assault. Without adjudicating guilt, the district court placed appellant on four years= deferred adjudication, as called for in a plea bargain agreement.

As part of his plea bargain, appellant promised not to appeal. This promise is binding when, as here, the court follows the agreed punishment recommendation. *Blanco v. State*, 18 S.W.3d 218, 220 (Tex. Crim. App. 2000). Furthermore, appellant's notice of appeal does not comply with Texas Rule of Appellate Procedure 25.2(b)(3) and thus does not invoke this Court's jurisdiction. *Whitt v. State*, 45 S.W.3d 274, 275 (Tex. App. CAustin 2001, no pet.); see *Cooper v. State*, 45 S.W.3d 77, 79 (Tex. Crim. App. 2001) (rule 25.2(b) limits every appeal in a plea bargain, felony case).

The State's motion to dismiss is granted and the appeal is dismissed for want of jurisdiction.

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Lee Yeakel, Justice

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

Dismissed for Want of Jurisdiction

Filed: November 21, 2002

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