

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-05-00756-CR

Paul Michael Brown, Appellant

v.

The State of Texas, Appellee

**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 147TH JUDICIAL DISTRICT
NO. 953380, HONORABLE WILFORD FLOWERS, JUDGE PRESIDING**

MEMORANDUM OPINION

In August 1995, Paul Michael Brown was convicted of engaging in organized criminal activity and sentenced to fifty years in prison. In November 2005, Brown filed a “motion requesting trial court’s permission to seek out-of-time appeal.” The motion was treated as a notice of appeal and forwarded to this Court. *See* Tex. R. App. P. 25.2(e).

It is obviously too late to perfect a direct appeal. *See* Tex. R. App. P. 26.2(a). We also note that the trial court has certified that this is a plea bargain case and Brown has no right of appeal. *See* Tex. R. App. P. 25.2(d). If Brown is entitled to an out-of-time appeal, it must be granted by the court of criminal appeals in a post-conviction habeas corpus proceeding. *See* Tex. Code Crim. Proc. Ann. art. 11.07 (West 2005).

The appeal is dismissed.

Bea Ann Smith, Justice

Before Justices B. A. Smith, Patterson and Puryear

Dismissed for Want of Jurisdiction

Filed: December 6, 2005

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