



NUMBERS 13-21-00366-CR and 13-21-00367-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI – EDINBURG

EMILIO VARGAS,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 214th District Court
of Nueces County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Contreras and Justices Benavides and Longoria
Memorandum Opinion by Justice Benavides**

These causes are before the court on its own motion. On October 26, 2021, appellant filed notices of appeal challenging the judgments of conviction upon pleas of guilty. The Trial Court's Certifications of Defendant's Right to Appeal indicate these are plea-bargain cases, and the defendant has NO right of appeal.

On October 26, 2021, the Court ordered appellant's counsel to review the records and determine whether appellant has the right to appeal. In response to counsel's failure to comply with the order, on December 10, 2021, the matters were abated and remanded to the trial court to address counsel's failure and to determine whether the trial court certifications were correct.

On December 21, 2021, we received supplemental records containing the trial court's findings. The trial court found that its certification was correct; that within the written admonishments on appellant's pleas of guilty, he specifically signed waivers of "any right of appeal"; and that appellant does not have the right to appeal these cases.

The Texas Rules of Appellate Procedure provide that an appeal must be dismissed if the trial court's certification does not show that the defendant has the right of appeal. See TEX. R. APP. P. 25.2(d), 37.1, 44.3, 44.4. Accordingly, these appeals are reinstated and are hereby dismissed.

GINA M. BENAVIDES
Justice

Do not publish.
TEX. R. APP. P. 47.2(b).

Delivered and filed on the
20th day of January, 2022.