

**NO. 12-08-00392-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

***JAMES LEON JONES,  
APPELLANT***

§ ***APPEAL FROM THE 241ST***

***V.***

§ ***JUDICIAL DISTRICT COURT OF***

***THE STATE OF TEXAS,  
APPELLEE***

§ ***SMITH COUNTY, TEXAS***

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***MEMORANDUM OPINION  
PER CURIAM***

Appellant pleaded guilty to engaging in organized criminal activity. The trial court sentenced Appellant to imprisonment for twenty years in accordance with a sentencing recommendation pursuant to a plea bargain agreement. The plea papers include a written admonishment, signed by Appellant, in which he was informed that

[i]f the punishment assessed does not exceed the punishment recommended by the Prosecutor and agreed to by the Defendant and his attorney, the [t]rial court must give its permission to the Defendant before he may prosecute an appeal or any matter in the case, except for those matters raised by written motions filed prior to trial[.]

Appellant also signed a written waiver of his right to appeal. We have received the trial court's certification showing that Appellant waived his right to appeal.<sup>1</sup> See TEX. R. APP. P. 25.2(d). The certification is signed by Appellant and his counsel. The clerk's record supports the trial court's certification. See *Greenwell v. Thirteenth Court of Appeals*, 159 S.W.3d 645, 649 (Tex. Crim. App.

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<sup>1</sup> Although this was also a plea bargain case, the trial court did not note that fact on its certification.

2005); *Dears v. State*, 154 S.W.3d 610, 614-15 (Tex. Crim. App. 2005). Accordingly, the appeal is *dismissed* for want of jurisdiction.

Opinion delivered November 26, 2008.

*Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.*

(DO NOT PUBLISH)