

NO. 12-12-00360-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

<i>WILLIAM ALLEN PENDERGRASS,</i> <i>APPELLANT</i>	§	<i>APPEAL FROM THE 241ST</i>
<i>V.</i>	§	<i>JUDICIAL DISTRICT COURT</i>
<i>THE STATE OF TEXAS,</i> <i>APPELLEE</i>	§	<i>SMITH COUNTY, TEXAS</i>

MEMORANDUM OPINION
PER CURIAM

This appeal from the revocation of Appellant's community supervision is being dismissed for want of jurisdiction.

To be sufficient to invoke the appellate court's full jurisdiction, the notice of appeal filed by an appellant in a criminal case must bear the trial court's certification of the appellant's right to appeal under Texas Rule of Appellate Procedure 25.2(a)(2). TEX. R. APP. P. 25.2(d). The certification should be part of the record when notice is filed, but may be added by timely amendment or supplementation. *Id.* Appellant's notice of appeal does not include the required certification.

On October 17, 2012, this court notified Appellant through his counsel, pursuant to Texas Rules of Appellate Procedure 25.2(d) and 37.1, that the notice of appeal does not include the trial court certification. The notice also informed Appellant that the appeal would be dismissed unless, on or before November 1, 2012, the clerk's record was amended to include the required certification.

The deadline for responding to this court's notice has expired, and the clerk's record has not been amended to show Appellant's right to appeal. Therefore, the appeal is *dismissed for want of jurisdiction*.

Opinion delivered November 30, 2012.

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

(DO NOT PUBLISH)



**COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT OF TEXAS
JUDGMENT**

NOVEMBER 30, 2012

NO. 12-12-00360-CR

WILLIAM ALLEN PENDERGRASS,

Appellant

V.

THE STATE OF TEXAS,

Appellee

Appeal from the 241st Judicial District Court
of Smith County, Texas. (Tr.Ct.No. 241-0571-11)

THIS CAUSE came to be heard on the appellate record; and the same being considered, it is the opinion of this court that this court is without jurisdiction of the appeal, and that the appeal should be dismissed.

It is therefore ORDERED, ADJUDGED and DECREED by this court that this appeal be, and the same is, hereby **dismissed for want of jurisdiction**; and that this decision be certified to the court below for observance.

By *per curiam* opinion.

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