

NO. 12-14-00202-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*DOYLE HENRY COOK, JR.,  
APPELLANT*

§ *APPEAL FROM THE 3RD*

*V.*

§ *JUDICIAL DISTRICT COURT*

*THE STATE OF TEXAS,  
APPELLEE*

§ *ANDERSON COUNTY, TEXAS*

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*MEMORANDUM OPINION  
PER CURIAM*

Appellant, Doyle Henry Cook, Jr., pleaded guilty to aggravated assault. In accordance with a plea bargain agreement, the trial court placed Appellant on deferred adjudication community supervision for ten years. Appellant filed a motion for new trial, which was denied. He also filed a notice of appeal in which he expressed his intent to appeal “from the judgment of conviction and sentence herein rendered against [him].”

In a plea bargain case—that is, a case in which a defendant’s plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant—a defendant may appeal only:

- (A) those matters that were raised by written motion filed and ruled on before trial, or
- (B) after getting the trial court’s permission to appeal.

TEX. R. APP. P. 25.2(a)(2)(A), (B). In this case, the trial court placed Appellant on deferred adjudication community supervision for ten years as agreed to by the prosecutor and Appellant. And Appellant does not complain about a ruling on a pretrial motion nor does he have the trial court’s permission to appeal. *See* TEX. R. APP. P. 25.2(a)(2). Therefore, we lack jurisdiction over the appeal. Accordingly, we *dismiss* the appeal *for want of jurisdiction*.

Opinion delivered July 31, 2014.

*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(DO NOT PUBLISH)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

JULY 31, 2014

NO. 12-14-00202-CR

**DOYLE HENRY COOK, JR.,**  
Appellant  
V.  
**THE STATE OF TEXAS,**  
Appellee

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Appeal from the 3rd District Court  
of Anderson County, Texas (Tr.Ct.No. 31157)

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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.*