

NO. 12-15-00232-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

***LENNIS TERRANCE OWENS,
APPELLANT***

§ *APPEAL FROM THE 3RD*

V.

§ *JUDICIAL DISTRICT COURT*

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

§ *ANDERSON COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

Appellant was charged by indictment with two counts of aggravated assault with a deadly weapon, i.e. a machete. Appellant initially pleaded “not guilty” to both counts, but changed his plea to “guilty” after jury selection. He elected to have the trial court assess his punishment and was sentenced to imprisonment for five years on each count to run concurrently.

We have received the clerk’s record, which includes the trial court’s certification showing that Appellant waived his right to appeal. *See* TEX. R. APP. P. 25.2(d). The clerk’s record includes a copy of a plea bargain agreement that is signed by Appellant and his counsel. Its terms include that the State agreed to a punishment recommendation of five years on each count, and in return Appellant agreed to waive his right to appeal. The trial court sentenced Appellant in accordance with the plea agreement. Therefore, the appeal is ***dismissed for want of jurisdiction***. *See* TEX. R. APP. P. 25.2(a)(2), (d).

Opinion delivered October 30, 2015.

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

(DO NOT PUBLISH)



COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

JUDGMENT

OCTOBER 30, 2015

NO. 12-15-00232-CR

LENNIS TERRANCE OWENS,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 3rd District Court
of Anderson County, Texas (Tr.Ct.No. 31954)

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., Hoyle, J. and Neeley, J.

THE STATE OF TEXAS M A N D A T E

TO THE 3RD DISTRICT COURT OF ANDERSON COUNTY, GREETING:

Before our Court of Appeals for the 12th Court of Appeals District of Texas, on the 30th day of October, 2015, the cause upon appeal to revise or reverse your judgment between

LENNIS TERRANCE OWENS, Appellant

NO. 12-15-00232-CR; Trial Court No. 31954

By *per curiam* opinion.

THE STATE OF TEXAS, Appellee

was determined; and therein our said Court made its order in these words:

“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.”

WHEREAS, WE COMMAND YOU to observe the order of our said Court of Appeals for the Twelfth Court of Appeals District of Texas in this behalf, and in all things have it duly recognized, obeyed, and executed.

WITNESS, THE HONORABLE JAMES T. WORTHEN, Chief Justice of our Court of Appeals for the Twelfth Court of Appeals District, with the Seal thereof affixed, at the City of Tyler, this the xx day of October, 2015.



CATHY S. LUSK, CLERK

By: Katrina McClenny
Chief Deputy Clerk