

NO. \_\_\_\_\_

THE STATE OF TEXAS

IN THE 54TH DISTRICT COURT

VS.

OF

McLENNAN COUNTY, TEXAS

**TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL**

I, Judge of the trial court, certify this criminal case:

- is not a plea-bargain case, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal. [OR]
- is a plea-bargain case, and the defendant has NO right of appeal. [OR]
- the defendant has waived the right of appeal.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date Signed

I, the defendant, have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals's judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the Court of Criminal Appeals. Tex. R. App. P. 68.2. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

\_\_\_\_\_  
Defendant

\_\_\_\_\_  
Defense Attorney  
SBOT # \_\_\_\_\_

\_\_\_\_\_  
Mailing address:

\_\_\_\_\_  
Mailing Address:

\_\_\_\_\_  
Telephone #:

\_\_\_\_\_  
Telephone #:

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Fax #:

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Fax #:

A defendant in a criminal case has the right of appeal under these rules. The trial court shall enter a certification of the defendant's right to appeal in every case in which it enters a judgment of guilt or other appealable order. 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.” TEXAS RULE OF APPELLATE PROCEDURE 25.2(a)(2).