

## In The

## **Fourteenth Court of Appeals**

NO. 14-00-00043-CR NO. 14-00-00044-CR

**TERRANCE RAY JOHNSON, Appellant** 

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 232nd District Court Harris County, Texas Trial Court Cause Nos. 811,037 & 816,856

## OPINION

Appellant pled guilty to the offenses of aggravated robbery and aggravated sexual assault. In accordance with the terms of a plea bargain agreement with the State, on November 15, 1999, the trial court sentenced appellant to confinement for thirty years in the Institutional Division of the Texas Department of Criminal Justice. Because we have no jurisdiction over this appeal, we dismiss.

Appellant filed timely written notices of appeal that did not comply with the requirements of Rule 25.2(b)(3) of the Texas Rules of Appellate Procedure. *See* TEX. R.

APP. P. 25.2(b)(3). Rule 25.2(b)(3) provides that when an appeal is from a judgment rendered on a defendant's plea of guilty or nolo contendere and the punishment assessed does not exceed the punishment recommended by the State and agreed to by the defendant, the notice of appeal must: (1) specify that the appeal is for a jurisdictional defect; (2) specify that the substance of the appeal was raised by written motion and ruled on before trial; or (3) state that the trial court granted permission to appeal. *Id.* Neither appellant's hand-written notice of appeal or the printed form meet these requirements. The time for filing a proper notice of appeal has expired; thus, appellant may not file an amended notice of appeal to correct jurisdictional defects. *See State v. Riewe*, 13 S.W.3d 408, 413-14 (Tex. Crim. App. 2000). Because appellant's notice of appeal did not comply with the requirements of Rule 25.2(b)(3), we are without jurisdiction to consider any of appellant's issues, including the voluntariness of the plea. *See Cooper v. State*, No. 1100-99, slip. op. at 8, 2001 WL 321579 at \*1 (Tex. Crim. App. April 4, 2001) (holding that appellant who files general notice of appeal may not appeal voluntariness of negotiated plea).

Accordingly, we dismiss the appeal for want of jurisdiction.

## PER CURIAM

Judgment rendered and Opinion filed July 12, 2001.

Panel consists of Justices Edelman, Frost and Senior Chief Justice Murphy.<sup>2</sup>

Do Not Publish — TEX. R. APP. P. 47.3(b).

<sup>&</sup>lt;sup>1</sup> Even if this court had jurisdiction, the record before us does not support appellant's sole issue on appeal asserting he was denied assistance of counsel during the time for filing a motion for new trial. *See Oldham v. State*, 977 S.W.2d 354, 359-60 (Tex. Crim. App.1998).

<sup>&</sup>lt;sup>2</sup> Senior Chief Justice Paul C. Murphy sitting by assignment.