

Dismissed and Opinion filed October 12, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00648-CR

FRANCISCO JAVIER TORRES, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 178th District Court
Harris County, Texas
Trial Court Cause No. 804872**

O P I N I O N

Appellant entered a plea of guilty to the offense of aggravated sexual assault of a child pursuant to a plea agreement. The trial court accepted his plea, found the evidence sufficient to substantiate guilt, and assessed punishment, in accordance with the plea agreement, at thirteen year's confinement in the Institutional Division of the Texas Department of Criminal Justice. In four points of error, appellant contends the trial court committed reversible error by depriving him of the right to compulsory process under the Due Process Clause of the United States Constitution and the Due course of Law provision in the Texas Constitution. We dismiss the appeal for want of jurisdiction.

To invoke the appellate jurisdiction of this court over an appeal from a judgment entered on a negotiated plea of guilty, appellant must file a specific notice of appeal complying with the extra notice requirements of rule 25.2(b)(3) of the Texas Rules of Appellate Procedure. *See Manuel v. State*, 994 S.W.2d 658, 661-62 (Tex. Crim. App. 1999). Rule 25.2(b)(3) requires that the notice of appeal state the following: (1) the appeal is for a jurisdictional defect; (2) the substance of the appeal was raised by written motion and ruled on before trial; or (3) the trial court granted appellant permission to appeal. *See TEX. R. APP. P. 25.2(b)(3)*.

Appellant acknowledged the requirements of rule 25.2(b)(3) in his notice of appeal but did not comply with the rule. In his notice of appeal, appellant stated that the notice must “state and prove that he/she has been granted permission to appeal the case by the trial court . . . or defendant must state those matters were raised by written motion by the defendant and were ruled on before trial.” Appellant, however, did not indicate which pre-trial matter he wished to appeal and the record does not indicate that the trial court granted appellant permission to appeal. In fact, the docket sheet reflects that the trial judge denied appellant’s request to appeal. Because appellant’s notice of appeal does not comply with the extra notice requirements of rule 25.2(b)(3), this court is without jurisdiction to consider the merits of his complaints. Without jurisdiction, this court must dismiss the appeal. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998).

Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed October 12, 2000.

Panel consists of Justices Yates, Wittig, and Frost.

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