

Dismissed and Opinion filed December 7, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-01120-CR

ERIC JEROME DORSEY, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 230th District Court
Harris County, Texas
Trial Court Cause No. 683,055**

OPINION

Without an agreed recommendation on punishment, appellant pleaded guilty to the offense of aggravated sexual assault. On April 20, 1994, the trial court deferred a finding of guilt and placed appellant on eight years deferred adjudication probation. On December 23, 1998, the State filed a motion to adjudicate alleging appellant had violated the terms and conditions of his probation by committing an assault on a public servant in violation of sections 22.01(a)(1) and (b)(1) of the Texas Penal Code. After appellant pleaded true to the allegation in the State's motion, the trial court sentenced appellant to 10 years confinement in the Texas Department of Criminal Justice--Institutional Division.

The only issue relevant to this appeal is this Court's jurisdiction. By this appeal, appellant seeks review of the trial court's decision to adjudicate his guilt; however, no appeal may be taken from the trial court's decision to proceed with an adjudication of guilt on a deferred adjudication. *See* TEX. CODE CRIM. PROC. ANN. art. 42.12, § 5(b) (Vernon Supp. 2000); *Connolly v. State*, 983 S.W.2d 738, 741 (Tex. Crim. App. 1999) (holding that given plain meaning of article 42.12, section 5(b), appellant whose deferred adjudication has been revoked and who has been adjudicated guilty of original charge may not raise on appeal contentions of error in adjudication of guilt process). Accordingly, we have no jurisdiction to review any contentions that might be raised by appellant in this appeal. *See id.*; *see also Daniels v. State*, No. 1612-99, 2000 WL 1506200, *1 (Tex. Crim. App. October 11, 2000). Without jurisdiction over an appeal, the only action this Court can take is to dismiss the appeal. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998).

Thus, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed December 7, 2000.

Panel consists of Chief Justice Murphy and Justices Amidei and Hudson.

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