

Dismissed and Opinion filed May 17, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01240-CR

HERMAN JAMES HANCHETT, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 184th District Court
Harris County, Texas
Trial Court Cause No. 94-10116**

O P I N I O N

On May 23, 1994, appellant pled guilty without an agreed recommendation as to punishment to the offense of possession of cocaine weighing more than 28 grams but less than 400 grams. The trial judge deferred adjudication of guilt and placed appellant on community supervision for ten years. The State filed a motion to adjudicate guilt. After a hearing, the trial court found appellant guilty and assessed punishment at confinement for five years. Appellant filed a timely general notice of appeal from the judgment adjudicating guilt.

On appeal, appellant challenges the voluntariness of his plea, asserting that the trial court admonished him as to the incorrect range of punishment.

Given the plain meaning of Article 42.12, § 5(b) of the Code of Criminal Procedure, an appellant whose deferred adjudication probation has been revoked and who has been adjudicated guilty of the original charge, may not raise on appeal contentions of error in the adjudication of guilt process. *Connolly v. State*, 983 S.W.2d 738, 741 (Tex. Crim. App. 1999); TEX. CODE CRIM. PROC. ANN. Art. 42.12 § 5(b) (Vernon Supp. 2000). Appellant may only raise issues that occur after adjudication of guilt and assessment of punishment. *See Ditto v. State*, 988 S.W.2d 236, 238 (Tex. Crim. App. 1999).

Nor may we now consider any complaint concerning the original plea because those had to have been raised when deferred adjudication community supervision was first imposed. *Manuel v. State*, 994 S.W.2d 658, 661-62 (Tex. Crim. App. 1999).

Accordingly, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed May 17, 2001.

Panel consists of Justices Edelman and Frost and Senior Chief Justice Murphy.¹

Do Not Publish — TEX.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

¹ Senior Chief Justice Paul C. Murphy sitting by assignment.