

Dismissed and Opinion filed June 7, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-00193-CR

DUNG NGO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 230th District Court
Harris County, Texas
Trial Court Cause No. 737,439**

OPINION

Appellant plead guilty to the felony offense of injury to a child on January 15, 1997. In accordance with the terms of a plea agreement with the State, the trial court sentenced appellant to two years confinement. Because we have no jurisdiction over this appeal, we dismiss.

Appellant filed a timely general notice 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.* Because the time for filing a proper notice of appeal has expired, appellant may not file an amended notice of appeal to correct jurisdictional defects. *State v. Riewe*, 13 S.W.3d408, 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.

/s/ Paul C. Murphy
Senior Chief Justice

Judgment rendered and Opinion filed June 7, 2001.

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

Do Not Publish TEX.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

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