

Dismissed and Opinion filed June 7, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01376-CR

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SILVESTRE CARLOS RESENDEZ, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 339th District Court
Harris County, Texas
Trial Court Cause Nos. 854,866 & 855,261**

O P I N I O N

Appellant pled guilty in two separate cases to the offenses of burglary of a habitation on September 13, 2000. In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant to confinement for two years in the Institutional Division of the Texas Department of Criminal Justice. Because we have no jurisdiction over this appeal, we dismiss.

Appellant filed a timely general notice of appeal for both cases 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.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).

Appellant filed a written request to withdraw the notice of appeal. *See* TEX. R. APP. P. 42.2. Because we lack jurisdiction, the request is rendered moot.

Accordingly, we dismiss the appeals for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed June 7, 2001.
Panel consists of Justices Yates, Fowler, and Wittig.
Do Not Publish — TEX. R. APP. P. 47.3(b).