

Dismissed and Opinion filed July 5, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01429-CR

LEE HARRISON, II aka MARK HARRISON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 180th District Court
Harris County, Texas
Trial Court Cause No. 856,218**

OPINION

In accordance with the terms of a plea bargain agreement with the State, appellant entered a plea of guilty to the offense of being a felon in possession of a firearm, and entered pleas of true to the allegations in two enhancement paragraphs. On October 2, 2000, after the trial court found appellant guilty of the offense, the court made findings of true as to the allegations in the two enhancement paragraphs and assessed appellant's punishment at confinement for twenty-five years in the Institutional Division of the Texas Department of Criminal Justice. A written notice of appeal was timely filed. Because we have no jurisdiction over this appeal, we dismiss.

Rule 25.2(b)(3) of the Texas Rules of Appellate Procedure 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. TEX. R. APP. P. 25.2(b)(3). Not only must the specific notice of appeal recite the applicable extra-notice requirements, the record must substantiate the recitations in the notice of appeal and the issues raised in the brief must relate to the specific claims in the notice of appeal. *See Betz v. State*, 36 S.W.3d 227, 228-29 (Tex. App.—Houston [14th Dist.] 2001, no pet.). Noncompliance, in either form or substance, results in a failure to properly invoke the appellate court's jurisdiction over an appeal to which Rule 25.2(b)(3) is applicable. *Id.* at 229.

Appellant filed two pro se notices of appeal in which he noted that the trial court's permission was required, but the space for the trial court to grant permission was left blank. 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.

PER CURIAM

Judgment rendered and Opinion filed July 5, 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.