

Dismissed and Opinion filed July 12, 2001.



In The

Fourteenth Court of Appeals

NO. 14-00-01378-CR

ANGEL VIQUE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 185th District Court
Harris County, Texas
Trial Court Cause No. 775,690

OPINION

Appellant pled guilty to a felony charge of possession of marihuana on June 23, 1998. In accordance with the terms of a plea bargain agreement, the trial judge deferred adjudication of guilt and placed appellant on community supervision for ten years. On August 11, 2000, the State filed a motion to adjudicate guilt. On September 15, 2000, the trial court found appellant guilty and assessed punishment at confinement for ten years and assessed a fine of \$3,000.

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). The requirements of Rule 25.2(b)(3) apply to an appeal from a judgment adjudicating guilt when, as in the present case, the State recommended deferred adjudication probation at the original plea. *See Watson v. State*, 924 S.W.2d 711, 714-15 (Tex. Crim. App. 1996). 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). Therefore, we are without jurisdiction to consider complaints concerning the adjudication of guilt.

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). Moreover, in a plea-bargained felony case, when an appellant files a notice of appeal that does not comply with Rule 25.2(b)(3), the appellate court may not consider the issue of voluntariness of the plea. *Cooper v. State*, No. 1100-99, slip op. at 8, 2001 WL 321579 at * 1 (Tex. Crim. App. April 4, 2001).

Accordingly, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed July 12, 2001.

Panel consists of Justices Edelman, 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Do Not Publish — TEX.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.