

Dismissed and Opinion filed September 28, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-01313-CR

PETER MICHAEL RAMOS, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 180th District Court
Harris County, Texas
Trial Court Cause No. 780403**

OPINION

Pursuant to a plea agreement, appellant entered a plea of guilty to the offense of aggravated assault. The trial court accepted appellant's plea, found the evidence sufficient to substantiate guilt, but withheld a finding of guilt and placed appellant on community supervision for five years. Later, on the State's motion, the trial court revoked appellant's community supervision, adjudicated appellant's guilt on the offense of aggravated assault, and assessed punishment at fifteen years confinement in the Institutional Division of the Texas Department of Criminal Justice. The trial court also entered an affirmative finding of a deadly

weapon. Appellant filed a motion for new trial, which the trial court denied. Appellant filed a general notice of appeal.

In two points of error, appellant contends the trial court erred in denying his motion for new trial on the aggravated assault conviction. Appellant contends his plea was involuntary because his trial counsel violated the attorney-client privilege and misinformed him of the consequences of an affirmative finding of a deadly weapon on the assessment of punishment following an adjudication of guilt.

A defendant placed on deferred adjudication community supervision may raise issues relating to the original plea proceeding only in appeals taken when deferred adjudication is first imposed. *See Manuel v. State*, 994 S.W.2d 658, 661 (Tex. Crim. App. 1999). Appellant could have raised the voluntariness of his plea in an appeal from the order placing him on deferred adjudication. His failure to do so precludes us from now hearing the merits of his complaints. *See Hanson v. State*, 11 S.W.2d 285, 288 (Tex. App.—Houston [14th Dist.] 1999, pet. ref'd). Accordingly, we dismiss this appeal for lack of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed September 28, 2000.

Panel consists of Justices Anderson, Fowler, and Hudson.

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