

Dismissed and Opinion filed October 12, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-00912-CR

GENARO ALONSO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 751604**

O P I N I O N

Appellant entered a plea of guilty to the offense of aggravated assault with a deadly weapon. 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 four years. Later, the State moved to adjudicate appellant's guilt to the offense. Appellant entered a plea of true to the State's motion. Thereafter, the trial court revoked appellant's community supervision, adjudicated appellant's guilt on the offense of aggravated assault with a deadly weapon, and assessed punishment at four years confinement in the Institutional Division of the Texas Department of Criminal Justice.

On appeal, appellant contends his plea of true to the State's motion was involuntary because his trial attorney rendered ineffective assistance of counsel. Appellant maintains he would have prevailed at the hearing on the State's motion to adjudicate guilt if his attorney had diligently researched the number of community service hours appellant had performed.

By these points of error, appellant seeks review of the trial court's decision to adjudicate his guilt. *See Hargrave v. State*, 10 S.W.3d 355, 357 (Tex. App.—Houston [1st Dist.] 1999, pet. ref'd) (op. on reh'g). No appeal may be taken from the trial court's decision to proceed with an adjudication of guilt on a deferred adjudication. *See* TEX. CODE CRIM. PROC. ANN. art. 42.12, §5(b) (Vernon Supp. 2000); *Connolly v. State*, 983 S.W.2d 738, 741 (Tex. Crim. App. 1999); *Hargrave*, 10 S.W.3d at 357. Accordingly, we have no jurisdiction to consider the merits of appellant's appeal. *See Connolly*, 983 S.W.2d at 741. Without jurisdiction over an appeal, the only action this court can take is to dismiss the appeal. *See Slaton v. State*, 981 S.W.2d 208, 210 (Tex. Crim. App. 1998).

Therefore, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed October 12, 2000.

Panel consists of Justices Yates, Wittig, and Frost.

Do Not Publish — TEX.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