

# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

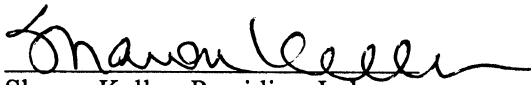
Misc. Docket No. 18-007

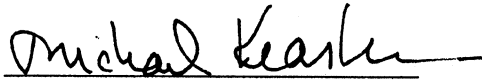
## ORDER PROPOSING AMENDMENTS TO TEXAS RULE OF APPELLATE PROCEDURE 25.2

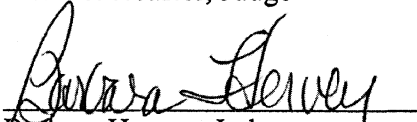
**ORDERED** that:

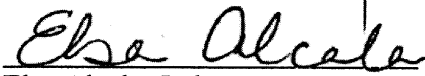
1. Pursuant to section 22.108 of the Texas Government Code, the Court of Criminal Appeals proposes amendments to Rule of Appellate Procedure 25.2(a).
2. These amendments may be changed in response to public comments received before May 25, 2018. Any interested party may submit written comments to the Court of Criminal Appeals at [txccarulescomments@txcourts.gov](mailto:txccarulescomments@txcourts.gov).
3. The Clerk is directed to:
  - a. file a copy of this order with the Secretary of State;
  - b. cause a copy of this order to be mailed to each registered member of the State Bar of Texas by publication in the *Texas Bar Journal*;
  - c. send a copy of this order to each elected member of the Legislature; and
  - d. submit a copy of the order for publication in the *Texas Register*.


Dated: April 9, 2018.

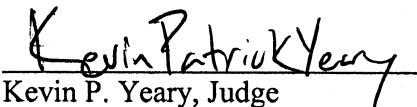
  
Sharon Keller, Presiding Judge

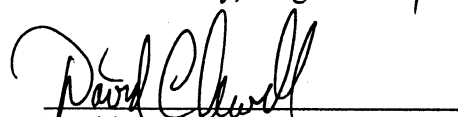
  
Michael Keasler, Judge

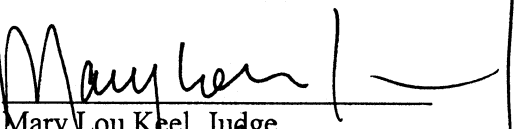
  
Barbara Hervey, Judge

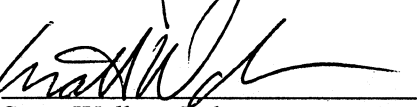
  
Elsa Alcalá, Judge

  
Bert Richardson, Judge

  
Kevin P. Yeary, Judge

  
David Newell, Judge

  
Mary Lou Keel, Judge

  
Scott Walker, Judge

## 25.2. Criminal Cases

### (a) *Rights to Appeal.*

- (1) Of the State. The State is entitled to appeal a court's order in a criminal case as provided by Code of Criminal Procedure article 44.01.
- (2) Of the Defendant. A defendant in a criminal case has the right of appeal under Code of Criminal Procedure article 44.02 and these rules. The trial court shall enter a certification of the defendant's right of appeal each time it enters a judgment of guilt or other appealable order other than an order appealable under Code of Criminal Procedure Chapter 64. In a plea bargain case – that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant – a defendant may appeal only:
  - (A) those matters that were raised by written motion filed and ruled on before trial,
  - (B) after getting the trial court's permission to appeal, or
  - (C) where the specific appeal is expressly authorized by statute.