

Dismissed and Opinion filed January 17, 2002.



In The  
**Fourteenth Court of Appeals**

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**NO. 14-01-01192-CR**

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**RODNEY KEITH HAZLIP, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 183rd District Court  
Harris County, Texas  
Trial Court Cause No. 858,735**

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**MEMORANDUM OPINION**

Appellant entered a plea of guilty to the offense of possession of a prohibited substance in a correctional facility. On November 5, 2001, in accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant to confinement for three years in the Institutional Division of the Texas Department of Criminal Justice. As part of the plea bargain agreement, appellant signed a written waiver of his right to appeal. Because appellant has waived his right to appeal, we dismiss.

Appellant entered a plea of guilty and the trial court followed the plea bargain agreement in assessing punishment. Despite having waived the right to appeal, appellant

filed a notice of appeal. Appellant chose to enter into an agreement that included a waiver of the right to appeal. Appellant was informed of his right to appeal, knew with certainty the punishment he would receive, and that he could withdraw his plea if the trial court did not act in accordance with the plea agreement. As appellant was fully aware of the consequences when he waived his right to appeal, it is “not unfair to expect him to live with those consequences now.” *Alzarka v. State*, No. 14-00-00837-CR, 2001 WL 837602, \*\*3 (Tex. App.—Houston [14th Dist.] July 26, 2001, pet. filed September 28, 2001) (quoting *Mabry v. Johnson*, 467 U.S. 504, 104 S.Ct. 2543, 2547-48, 81 L.Ed.2d 437 (1984)). See also *Blanco v. State*, 18 S.W.3d 218, 219-20 (Tex. Crim. App. 2000); *Buck v. State*, 45 S.W.3d 275, 278 (Tex. App.—Houston [1st Dist.] 2001, no pet.).

Accordingly, we dismiss the appeal.

PER CURIAM

Judgment rendered and Opinion filed January 17, 2002.

Panel consists of Chief Justice Brister, Justices Fowler and Seymore.

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