Affirmed and Opinion filed February 3, 2000.

In The

Fourteenth Court of Appeals

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NO. 14-99-00182-CR
NO. 14-99-00183-CR

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JAMES EDWARD LEWIS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 339th District Court
Harris County, Texas
Trial Court Cause No. 695,990 & 767,780

O P I N I O N

In cause number 695,990, appellant was sentenced to two years in the state jail facility, probated for five years, for the felony offense of delivery of a controlled substance. Subsequently, appellant pled true to the State's motion to revoke probation which alleged that he committed the new offense of unauthorized use of a motor vehicle. Pursuant to an agreement between appellant and the State, the court assessed punishment at confinement in the state jail for one year. At the same time, in cause number 767,780, appellant entered a plea of guilty to the offense of unauthorized use of a motor vehicle. Pursuant to a plea bargain

agreement, the court assessed punishment at confinement in the State Jail Division of the Texas Department of Criminal Justice for two years.

Appellant's court-appointed counsel filed a motion to withdraw from representation of appellant along with a supporting brief in which she concludes that the appeal in both causes is wholly frivolous and without merit. *See Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967). The brief meets the requirements of *Anders* by presenting a professional evaluation of the record demonstrating why there are no arguable grounds to be advanced. *See High v. State*, 573 S.W.2d 807, 811 (Tex. Crim. App. 1978).

A copy of counsel's brief was delivered to appellant. Appellant was advised of the right to examine the appellate record and to file a *pro se* response. Appellant has not filed a response in cause number 695,990. We have carefully reviewed the record and counsel's brief in cause number 695,990 and agree that the appeal is wholly frivolous and without merit.

Appellant has filed a *pro se* response to the *Anders* brief in cause number 767,780. Appellant complains that he received ineffective assistance of counsel because counsel failed to (1) object to the indictment on the basis of illegal enhancement paragraphs, (2) file any pretrial motions, and (3) pursue appellant's *pro se* motion to suppress evidence. We affirm.

In this case, appellant pled guilty pursuant to a plea bargain agreement. The trial court sentenced appellant in accordance with the agreement. Thus, appellant's notice of appeal must comply with the extra notice requirements of rule 25.2(b)(3) of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 25.2(b)(3). This rule requires that in an appeal from a guilty plea in which the punishment assessed by the trial court did not exceed the agreed recommendation, the notice of appeal must: (a) specify that the appeal is for a jurisdictional defect, (b) specify that the substance of the appeal was raised by written motion and ruled on before trial, or (c) state that the trial court granted permission to appeal. *See* TEX. R. APP. P. 25.2(b)(3). In an appeal from a plea-bargained conviction, a defendant's general notice of appeal confers no jurisdiction on a court of appeals to address non-jurisdictional defects. *See*

Lyon v. State, 872 S.W.2d 732, 735 (Tex. Crim. App. 1994); *Williams v. State*, 960 S.W.2d 758, 759 (Tex. App.—Houston [1st Dist.] 1997, pet. dism'd). Appellant gave a general notice of appeal which does not contain the extra notice requirements. Ineffective assistance of counsel is a non-jurisdictional defect. *See id.* Therefore, we have no jurisdiction to address appellant's claim of ineffective assistance of counsel.

We have reviewed the record and appellant's *pro se* response to appellate counsel's brief. We agree with appellate counsel that the appeal in cause number 767,780 is frivolous and without merit. Appellant's *pro se* response to appellate counsel's motion to withdraw and the brief in support of the motion does not raise an arguable point of error, and our review of the record reveals none.

Accordingly, we affirm the judgment of the court below in both causes.

PER CURIAM

Judgment rendered and Opinion filed February 3, 2000.
Panel consists of Justices Yates, Fowler, and Frost.
Do Not Publish — TEX. R. APP. P. 47.3(b).