

Dismissed and Opinion filed July 12, 2001.



In The

**Fourteenth Court of Appeals**

---

NO. 14-01-00176-CR

---

**CRAIG ANTHONY NELMS, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

**On Appeal from the 180th District Court  
Harris County, Texas  
Trial Court Cause No. 856,074**

---

**OPINION**

Appellant pled guilty on December 20, 2000, to the offense of possession of a controlled substance. In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant to 15 years confinement in the Institutional Division of the Texas Department of Criminal Justice. Because we have no jurisdiction over this appeal, we dismiss.

Appellant filed a timely general notice of appeal that did not comply with the requirements of Rule 25.2(b)(3) of the Texas Rules of Appellate Procedure. *See* TEX. R. APP. P. 25.2(b)(3). Rule 25.2(b)(3) provides that when an appeal is from a judgment

rendered on a defendant's plea of guilty or nolo contendere and the punishment assessed does not exceed the punishment recommended by the State and agreed to by the defendant, the notice of appeal must: (1) specify that the appeal is for a jurisdictional defect; (2) specify that the substance of the appeal was raised by written motion and ruled on before trial; or (3) state that the trial court granted permission to appeal. *Id.* Because the time for filing a proper notice of appeal has expired, appellant may not file an amended notice of appeal to correct jurisdictional defects. *State v. Riewe*, 13 S.W.3d 408, 413-14 (Tex. Crim. App. 2000).

Appellant's appointed counsel filed a brief in which counsel concludes that the appeal is wholly frivolous and without merit. The brief meets the requirements of *Anders v. California*, 386 U.S. 738, 87 S.Ct. 1396, 18 L.Ed.2d 493 (1967), 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 (Tex. Crim. App. 1978). In this brief, appellant's counsel raises the issue of voluntariness of the guilty plea.

Because appellant's notice of appeal did not comply with the requirements of Rule 25.2(b)(3), we are without jurisdiction to consider any of appellant's issues, including the voluntariness of the plea.<sup>1</sup> *See Cooper v. State*, No. 1100-99, slip. op. at 8, 2001 WL 321579 at \*1 (Tex. Crim. App. April 4, 2001) (holding that appellant who files general notice of appeal may not appeal voluntariness of negotiated plea).

Accordingly, we dismiss the appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed July 12, 2001.

Panel consists of Justices Yates, Anderson, and Wittig.

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

---

<sup>1</sup> Because we conclude we have no jurisdiction over this appeal, we need not wait for a pro se response from appellant to the *Anders* brief filed by his appointed counsel.