

Dismissed and Opinion filed October 12, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-01320-CR

IVAN ALEXANDER GALDAMEZ, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 176th District Court
Harris County, Texas
Trial Court Cause No. 9420275**

O P I N I O N

Appellant entered a plea of nolo contendere without a plea agreement 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 ten 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, and assessed punishment at six years confinement in the Institutional Division of the Texas Department of Criminal Justice. Appellant filed a motion for new trial, which the trial court denied.

In his sole point of error, appellant contends the trial court erred in denying his motion for a new trial because his plea of nolo contendere to the original charge was involuntary. Appellant contends the trial court failed to admonish him about the consequences of violating the terms of the deferred adjudication, and he would not have entered his plea if he had been aware of the consequences.

A defendant placed on deferred adjudication community supervision may raise issues relating to the original plea proceeding only in appeals taken when deferred adjudication is first imposed. *See Manuel v. State*, 994 S.W.2d 658, 661 (Tex. Crim. App. 1999). Appellant could have raised the voluntariness of his plea in an appeal from the order placing him on deferred adjudication. His failure to do so precludes this court from now hearing the merits of his complaints. *See Hanson v. State*, 11 S.W.2d 285, 288 (Tex. App.—Houston [14th Dist.] 1999, pet. ref'd). Accordingly, we dismiss this appeal for want of jurisdiction.

PER CURIAM

Judgment rendered and Opinion filed October 12, 2000.

Panel consists of Justices Yates, Wittig, and Frost.

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