

# IN THE COURT OF CRIMINAL APPEALS OF TEXAS

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Misc. Docket No. 18-014

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## ORDER PROPOSING AMENDMENTS TO APPENDIX D OF THE TEXAS RULES OF APPELLATE PROCEDURE

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**ORDERED** that:

1. Pursuant to section 22.108 of the Texas Government Code, the Court of Criminal Appeals proposes amendments to Appendix D of the Rules of Appellate Procedure.
2. These amendments may be changed in response to public comments received before October 30, 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: June 18, 2018.

Sharon Keller

Sharon Keller, Presiding Judge

Michael E. Keasler

Michael Keasler, Judge

Barbara Hervey

Barbara Hervey, Judge

Elsa Alcalá

Elsa Alcalá, Judge

Bert Richardson

Bert Richardson, Judge

Kevin Patrick Yeary

Kevin P. Yeary, Judge

David Newell

David Newell, Judge

Mary Lou Keel

Mary Lou Keel, Judge

Scott Walker

Scott Walker, Judge

**APPENDIX D**

**Certification of Defendant's Right of Appeal**

No. \_\_\_\_\_

The State of Texas

In the \_\_\_\_\_ Court

v.

of

\_\_\_\_\_  
Defendant

\_\_\_\_\_ County, Texas

**TRIAL COURT'S CERTIFICATION OF DEFENDANT'S RIGHT OF APPEAL\***

I certify that this criminal case:

- is not a plea-bargain case, and the defendant has the right of appeal;
- is a plea-bargain case, but matters were raised by written motion filed and ruled on before trial and not withdrawn or waived, and the defendant has the right of appeal;
- is a plea-bargain case, but the trial court has given permission to appeal, and the defendant has the right of appeal;
- is a plea-bargain case, and the defendant has NO right of appeal;
- the defendant has waived the right of appeal.

\_\_\_\_\_  
Judge

\_\_\_\_\_  
Date Signed

I have received a copy of this certification. I have also been informed of my rights concerning any appeal of this criminal case, including any right to file a *pro se* petition for discretionary review pursuant to Rule 68 of the Texas Rules of Appellate Procedure. I have been admonished that my attorney must mail a copy of the court of appeals' judgment and opinion to my last known address and that I have only 30 days in which to file a *pro se* petition for discretionary review in the court of appeals. TEX. R. APP. P. 68.2. I acknowledge that, if I wish to appeal this case and if I am entitled to do so, it is my duty to inform my appellate attorney, by written communication, of any change in the address at which I am currently living or any change in my current prison unit. I understand that, because of appellate deadlines, if I fail to timely inform my appellate attorney of any change in my address, I may lose the opportunity to file a *pro se* petition for discretionary review.

\_\_\_\_\_  
Defendant

Mailing address: \_\_\_\_\_

\_\_\_\_\_  
Telephone number: \_\_\_\_\_

Email Address (if any): \_\_\_\_\_

\_\_\_\_\_  
Defendant's Counsel

State Bar of Texas ID number: \_\_\_\_\_

Mailing address: \_\_\_\_\_

\_\_\_\_\_  
Telephone number: \_\_\_\_\_

Email Address: \_\_\_\_\_

\* See TEX. R. APP. P. 25.2(a)(2).