

**Dismissed and Opinion filed June 7, 2001.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-01-00074-CR**  
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**FIDEL VALENCIA GARDUNO, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 208th District Court  
Harris County, Texas  
Trial Court Cause No. 851,909**

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**OPINION**

Appellant pled guilty to the offense of aggravated sexual assault of a child on November 29, 2000. In accordance with the terms of a plea bargain agreement with the State, the trial court sentenced appellant to 10 years confinement. 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). 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. *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 June 7, 2001.

Panel consists of Justices Yates, Fowler, and Wittig.

Do Not Publish — TEX.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