

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

James Roy Thomas v. The State of Texas

No. 03-26-00441-CR · No. No. 03-26-00441-CR · Decided May 29, 2026

SUMMARY

The Texas Court of Appeals, Third District, abated James Roy Thomas’s appeal from the denial of his application for writ of habeas corpus and remanded the matter to the trial court. The trial court was directed to enter a certification of Thomas’s right of appeal from the habeas order and provide a supplemental clerk’s record by June 12, 2026.

OPINION

PER CURIAM.

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN NO. 03-26-00441-CR James Roy Thomas, Appellant v. The State of Texas, Appellee FROM THE 426TH DISTRICT COURT OF BELL COUNTY NO. 25DCR91207-AA, THE HONORABLE STEVEN J. DUSKIE, JUDGE PRESIDING ORDER AND MEMORANDUM OPINION PER CURIAM Appellant James Roy Thomas has filed a pro se notice of appeal from the denial of his application for writ of habeas corpus.

See Tex. Code Crim. Proc. art. 11.072, § 8. The clerk’s record contains the trial court’s certification of Thomas’s right of appeal with respect to the court’s deferred-adjudication order—which reflects that the case was a plea-bargain case for which Thomas has no right of appeal.

However, the record does not include the required certification relating to the court’s May 1, 2026 order denying Thomas’s habeas application, which is the order he seeks to appeal. See Tex. R. App. P. 25.2(a)(2) (requiring trial court to enter certification of defendant’s right of appeal “each time it enters a judgment of guilt or other appealable order”), (d) (requiring record to include certification).

Accordingly, we abate this appeal and remand the cause to the trial court for entry of a certification of Thomas’s right of appeal from the order denying habeas corpus relief. See id. R. 25.2(a)(2), 44.4. A supplemental clerk’s record containing the trial court’s certification shall be filed with this Court no later than June 12, 2026. See id. R. 34.5(c)(2).

It is so ordered May 29, 2026. Before Justices Triana, Kelly, and Ellis Abated and Remanded Filed: May 29, 2026 Do Not Publish 2

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