

COURT OF APPEALS FOR THE FIRST DISTRICT OF TEXAS

Gabriel Adonai Garcia v. the State of Texas

No. 01-25-00137-CR · No. 01-25-00137-CR · Decided March 10, 2026

SUMMARY

The First Court of Appeals of Texas dismissed Gabriel Adonai Garcia’s appeal from his murder conviction for lack of jurisdiction. The court determined that Garcia entered a plea bargain involving a negotiated waiver of a jury trial, and that the trial court correctly certified that he had no right to appeal. Because no qualifying pretrial motion was raised and ruled on and the trial court granted no permission to appeal, the court granted the State’s motion to dismiss.

CASE DETAILS

COURT	Court of Appeals for the First District of Texas
WRITING FOR THE COURT	Justice Guerra; Justice Caughey; Justice Dokupil
JURISDICTION	Court of Appeals for the First District of Texas
DECIDED	March 10, 2026
DOCKET	01-25-00137-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Garcia appealed after pleading guilty to murder and receiving a thirty-five-year sentence under a plea bargain. The State moved to dismiss, arguing that the trial court's certification established that Garcia had no right to appeal.
STANDARD OF REVIEW	The court reviewed the trial court's certification of the defendant's right to appeal and whether the record established a plea-bargain case implicating Texas Rule of Appellate Procedure 25.2(a)(2).
PRECEDENTIAL VALUE	unpublished and nonprecedential
PARTIES	Gabriel Adonai Garcia v. The State of Texas

TOPICS

- appellate jurisdiction
- plea bargaining
- appellate procedure
- criminal procedure

PRACTICE AREAS

- criminal appellate procedure
- plea bargaining
- criminal jurisdiction

QUESTIONS PRESENTED

1. Whether the record established that Garcia entered a plea bargain within the meaning of Texas Rule of Appellate Procedure 25.2(a)(2).
2. Whether Garcia had a right to appeal when the trial court certified that he had no right to appeal, no written pretrial motion had been ruled on, and the trial court granted no permission to appeal.
3. Whether the appeal had to be dismissed for lack of appellate jurisdiction.

HOLDINGS

1. The record established that Garcia's guilty plea was entered pursuant to a plea bargain because the written plea document showed the State's consent to and approval of Garcia's waiver of a jury trial, which the court construed as a negotiated exchange accompanying the guilty plea.
2. Garcia had no right to appeal because he pleaded pursuant to a plea bargain, no written motion was filed and ruled on before trial, and the trial court granted no permission to appeal.
3. The appeal had to be dismissed for lack of jurisdiction.

KEY QUOTATIONS

"Where an appellant enters a plea bargain with the State, there is no right of appeal except as to those matters raised by written motion and ruled on before trial or after getting permission to appeal from the trial court." (3)

FACTUAL BACKGROUND

Garcia pleaded guilty to murder and received a thirty-five-year sentence. His written plea materials reflected the State's consent to and approval of his waiver of a jury trial and stipulation of evidence, but did not expressly state that two aggravated-assault charges were dismissed in exchange for his plea. The trial court nevertheless found that a plea bargain existed, and the appellate court construed the mutual consent to waive a jury trial as evidence that the parties negotiated the plea.

PROCEDURAL HISTORY

The Court initially denied the State's first motion to dismiss, abated the appeal, and remanded for the trial court to determine whether a plea bargain existed and to address counsel's motion to withdraw. After a hearing, the trial court found that the case was a plea bargain and concluded that no ruling on the motion to withdraw was necessary because Garcia had no right to appeal. The State filed a second motion to dismiss, which the appellate court granted.

DISPOSITION

dismissed

CASES CITED

- Ex parte Broadway, 301 S.W.3d 694, 698 (Tex. Crim. App. 2009)

- Thomas v. State, 615 S.W.3d 552, 564 (Tex. App.—Houston [1st Dist.] 2020, no pet.)
- Chavez v. State, 183 S.W.3d 675, 680 (Tex. Crim. App. 2006)

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