

COURT OF APPEALS SIXTH APPELLATE DISTRICT OF TEXAS AT
TEXARKANA

Sariah Garcia v. the State of Texas

Garcia · No. No. 06-26-00023-CR · Decided February 27, 2026

SUMMARY

The Sixth Court of Appeals of Texas dismissed Sariah Garcia’s appeal for want of jurisdiction. Garcia pleaded guilty pursuant to a plea agreement, and the record did not show a pretrial motion, trial court permission to appeal, or statutory authorization for the appeal under Texas Rule of Appellate Procedure 25.2(a)(2).

CASE DETAILS

COURT	Court of Appeals Sixth Appellate District of Texas at Texarkana
WRITING FOR THE COURT	Justice Charles van Cleef; Chief Justice Stevens; Justice van Cleef; Justice Rambin
JURISDICTION	Court of Appeals Sixth Appellate District of Texas at Texarkana
DECIDED	February 27, 2026
DOCKET	No. 06-26-00023-CR
DISPOSITION	dismissed
PROCEDURAL POSTURE	Appeal from a guilty-plea conviction and ninety-day jail sentence in which the trial court certified that the defendant had no right of appeal.
STANDARD OF REVIEW	The appellate court independently determined whether it had jurisdiction, relying on the trial court's proper certification of the defendant's right of appeal.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Sariah Garcia v. The State of Texas

TOPICS

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

PRACTICE AREAS

- criminal appellate procedure
- plea-bargain appeals
- criminal procedure

QUESTIONS PRESENTED

1. Whether the court of appeals had jurisdiction over an appeal from a plea-bargain case when the trial court certified that the defendant had no right of appeal and none of the exceptions in Texas Rule of Appellate Procedure 25.2(a)(2) appeared to apply.

HOLDINGS

1. A defendant in a plea-bargain case may appeal only matters raised by a written motion filed and ruled on before trial, an appeal authorized by the trial court, or an appeal expressly authorized by statute. Because none of those exceptions applied and the trial court properly certified that Garcia had no right of appeal, the court lacked jurisdiction and dismissed the appeal.

KEY QUOTATIONS

“In a plea bargain case—that is, a case in which a defendant’s plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant—a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, (B) after getting the trial court’s permission to appeal, or (C) where the specific appeal is expressly authorized by statute.” (2)

“Because Garcia has no right of appeal due to her plea agreement with the State and because the trial court’s certification correctly indicates that she is without a right of appeal, we dismiss this appeal for want of jurisdiction.” (3)

FACTUAL BACKGROUND

On December 18, 2025, Garcia pleaded guilty to theft of property valued at less than \$2,500 with two or more prior theft convictions. The trial court sentenced her to ninety days in jail and certified that the case was a plea-bargain case in which she had no right of appeal. Garcia did not identify a statutory authorization for the appeal, a written pretrial motion ruled on before trial, or permission from the trial court to appeal.

PROCEDURAL HISTORY

Garcia pleaded guilty to theft of property valued at less than \$2,500 with two or more prior theft convictions and was sentenced to ninety days' confinement. She timely filed a notice of appeal despite the trial court's certification that the case was a plea-bargain case and that she had no right of appeal. The appeal was transferred from the Second Court of Appeals to the Sixth Court of Appeals pursuant to the Texas Supreme Court's docket-equalization authority. After the court notified Garcia of the apparent jurisdictional defect, she conceded that she had no intent to oppose dismissal.

DISPOSITION

dismissed

OPINION

PER CURIAM.

In the Court of Appeals Sixth Appellate District of Texas at Texarkana No. 06-26-00023-CR SARIAH GARCIA, Appellant V. THE STATE OF TEXAS, Appellee On Appeal from the 396th District Court Tarrant County, Texas Trial Court No. 1887937 Before Stevens, C.J., van Cleef and Rambin, JJ. Memorandum Opinion by Justice van Cleef MEMORANDUM OPINION On December 18, 2025, Sariah Garcia pled guilty to the offense of theft of property valued at less than \$2,500.00, with two or more prior theft convictions.

Garcia was sentenced to ninety days' confinement in jail. Despite the trial court's certification that this was a plea- agreement case and that Garcia had no right of appeal, she timely filed a notice of appeal. 1 Because we find that we are without jurisdiction, we will dismiss the appeal for want of jurisdiction.

The Texas Legislature has granted a very limited right of appeal in plea-bargain cases. Rule 25.2(a)(2) of the Texas Rules of Appellate Procedure details that right as follows: (2)... In a plea bargain case—that is, a case in which a defendant's plea was guilty or nolo contendere and the punishment did not exceed the punishment recommended by the prosecutor and agreed to by the defendant—a defendant may appeal only: (A) those matters that were raised by written motion filed and ruled on before trial, (B) after getting the trial court's permission to appeal, or (C) where the specific appeal is expressly authorized by statute.

TEX. R. APP. P. 25.2(a)(2). There is no indication in the record before this Court that (1) this specific appeal is expressly authorized by statute, (2) Garcia filed a motion that was ruled on before trial, or (3) Garcia obtained the trial court's permission to appeal.

To the contrary, the trial court's certification of Garcia's right of appeal indicates that she has no right of appeal. 1 Originally appealed to the Second Court of Appeals in Fort Worth, this case was transferred to this Court by the Texas Supreme Court pursuant to its docket equalization efforts. See TEX. GOV'T CODE ANN. § 73.001 (Supp.).

We are unaware of any conflict between precedent of the Second Court of Appeals and that of this Court on any relevant issue. See TEX. R. APP. P. 41.3. 2 Pursuant to Rule 25.2(d) of the Texas Rules of Appellate Procedure, upon proper certification by the trial court indicating there is no right of appeal, this Court will dismiss the appeal. See TEX. R. APP.

P. 25.2(d). On February 17, 2026, this Court sent Garcia a letter informing her of the apparent defect in our jurisdiction over her appeal and afforded her an opportunity to respond and, if possible, cure such defect.

On February 23, 2026, we received Garcia's response. In it, she concedes that she pled to the charged-offense and that she "has no intent to oppose the dismissal of" this appeal. Because Garcia

has no right of appeal due to her plea agreement with the State and because the trial court's certification correctly indicates that she is without a right of appeal, we dismiss this appeal for want of jurisdiction.

Charles van Cleef Justice Date Submitted: February 26, 2026 Date Decided: February 27, 2026 Do Not Publish 3

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