

FOURTH COURT OF APPEALS OF TEXAS, SAN ANTONIO

Genene Jones v. State

No. 04-20-00108-CR · No. No. 04-20-00108-CR · Decided February 28, 2020

SUMMARY

The Fourth Court of Appeals of San Antonio ordered the trial court clerk to file a supplemental clerk's record in an appeal where the trial court certified that the case was a plea-bargain case and that the defendant had no right of appeal. The order specified the documents to be included and suspended all other appellate deadlines pending further order.

CASE DETAILS

COURT	Fourth Court of Appeals of Texas, San Antonio
WRITING FOR THE COURT	Irene Rios
JURISDICTION	Texas
DECIDED	February 28, 2020
DOCKET	No. 04-20-00108-CR
DISPOSITION	other
PROCEDURAL POSTURE	The appeal followed a trial court certification stating that the underlying criminal case was a plea-bargain case and that the defendant had no right of appeal. The court of appeals ordered the trial court clerk to prepare and file a clerk's record containing specified plea, judgment, post-judgment, and appeal documents while suspending other appellate deadlines.
PRECEDENTIAL VALUE	Published order; no substantive merits holding stated in the text provided.
PARTIES	Genene Jones v. The State of Texas

TOPICS

[appellate procedure](#)[plea bargaining](#)[criminal procedure](#)

PRACTICE AREAS

[Texas criminal appellate procedure](#)[plea-bargain appeals](#)

QUESTIONS PRESENTED

1. Whether the appellate record was sufficient for the court of appeals to evaluate the trial court's certification that the case was a plea-bargain case and that the defendant had no right of appeal.

KEY QUOTATIONS

“is a plea-bargain case, and the defendant has NO right of appeal.” (at 1)

FACTUAL BACKGROUND

The underlying criminal case was identified by the trial court as a plea-bargain case. The trial court certified that Genene Jones had no right of appeal, prompting the court of appeals to require the record relating to the plea bargain, judgment, post-judgment proceedings, notice of appeal, and certification.

PROCEDURAL HISTORY

The case arose from trial court cause number 2017CR5730 in the 399th Judicial District Court of Bexar County, Texas. After the trial court certified that the case was a plea-bargain case in which the defendant had no right of appeal, the Fourth Court of Appeals ordered preparation of a supplemental clerk's record to evaluate the appeal and suspended other appellate deadlines pending further order.

DISPOSITION

other

OPINION

PER CURIAM.

Fourth Court of Appeals San Antonio, Texas February 28, 2020 No. 04-20-00108-CR Genene JONES, Appellant v. The STATE of Texas, Appellee From the 399th Judicial District Court, Bexar County, Texas Trial Court No. 2017CR5730 Honorable Frank J. Castro, Judge Presiding ORDER A Trial Court's Certification of Defendant's Right of Appeal has been filed in this appeal in which the trial court judge certifies that the underlying criminal case "is a plea-bargain case, and the defendant has NO right of appeal." We, therefore, ORDER the trial court clerk to file a clerk's record within ten days from the date of this order containing the following documents: 1.

All pre-trial orders and the related pre-trial motions; 2. The Court Admonishments, the Waiver, Consent to Stipulation of Testimony and Stipulations, and all other documents relating to the defendant's plea bargain; 3.

The judgment; 4. All post-judgment motions and orders; 5. The notice of appeal; 6. The Trial Court's Certification of Defendant's Right of Appeal; and 7. The criminal docket sheet. All other appellate deadlines are suspended pending further order of this court.

The clerk of this court is ORDERED to send a copy of this order to the attorneys of record, the trial court clerk, and the court reporter(s) responsible for preparing the reporter's record in this appeal. _____ Irene Rios, Justice IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of the said court on this 28th day of February, 2020. _____ Michael A. Cruz, Clerk of Court