

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-21-00409-CR

Ex parte Tony Ramirez

**FROM THE 460TH DISTRICT COURT OF TRAVIS COUNTY
NO. D-1-DC-19-207142-A, THE HONORABLE SELENA ALVARENGA, JUDGE PRESIDING**

ORDER AND MEMORANDUM OPINION

PER CURIAM

Tony Ramirez seeks to appeal the trial court’s denial of his application for writ of habeas corpus in July 2021. However, the clerk’s record does not contain the required trial court certification of Ramirez’s right of appeal pertaining to that ruling. *See* Tex. R. App. P. 25.2(a)(2) (requiring trial court’s certification of defendant’s right of appeal “each time it enters a judgment of guilt or other appealable order”), (d) (requiring record to include trial court’s certification); *see also Ex parte Tarango*, 116 S.W.3d 201, 203 (Tex. App.—El Paso 2003, no pet.) (explaining that “order denying habeas corpus relief is an appealable order within the meaning of Rule 25.2(a)(2)”).

Accordingly, this appeal is abated, and the trial court is directed to prepare and file its certification regarding Ramirez’s right of appeal as required by the Rules of Appellate Procedure. *See* Tex. R. App. P. 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 January 18, 2022. *See id.* R. 25.2(d), 34.5(c)(2).

It is ordered on December 28, 2021.

Before Justices Goodwin, Baker, and Smith

Abated

Filed: December 28, 2021

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