



**IN THE COURT OF CRIMINAL APPEALS
OF TEXAS**

NO. PD-1316-14

GEORGE ANTHONY THURSTON, Appellant

v.

THE STATE OF TEXAS

**ON APPELLANT'S PETITION FOR DISCRETIONARY REVIEW
FROM THE SECOND COURT OF APPEALS
TARRANT COUNTY**

**PER CURIAM. KELLER, P.J., filed a concurring opinion in which
JOHNSON and RICHARDSON, JJ., joined.**

OPINION

We granted appellant's petition for discretionary review to determine the definition of "pending" in Penal Code § 37.09(a)(1), the tampering with evidence statute. Having examined the record and briefs, we conclude that our decision to grant review was improvident. We therefore dismiss appellant's petition for discretionary review as improvidently granted.

Delivered: July 1, 2015
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