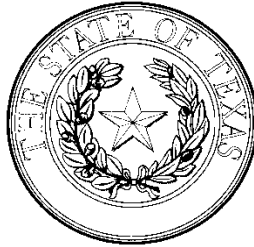


Opinion issued October 18, 2012



In The
Court of Appeals
For The
First District of Texas

NO. 01-10-00068-CR

KEISHA EULETTE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the County Court at Law No. 2
Fort Bend County, Texas
Trial Court Cause No. 06-CCR-127550**

MEMORANDUM OPINION

On July 11, 2012, we abated this appeal and ordered a hearing in the trial court. Among the issues the trial judge was to consider was whether appellant desired to prosecute the appeal. The trial court notified appellant and her attorney

that a hearing would be conducted on August 3, 2012. In a supplemental clerk's record filed in this Court, the trial court made findings that appellant and her attorney had informed the trial court that appellant no longer wished to pursue her appeal and that they did not appear at the hearing.

We **order** the appeal reinstated. Appellant has not filed a written motion to withdraw the appeal. *See* TEX. R. APP. P. 42.2. However, given the trial court's finding that appellant no longer wishes to pursue her appeal, we conclude that good cause exists to suspend the operation of Rule 42 in this case, in accordance with Rule 2. *See* TEX. R. APP. P. 2. We have not yet issued a decision in this appeal.

Accordingly, the appeal is dismissed. All pending motions are dismissed as moot. The clerk of this Court is directed to issue the mandate. TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Justices Keyes, Massengale, and Brown.

Do not publish. TEX. R. APP. P. 47.2(b).