

Opinion issued August 30, 2012.



In The  
**Court of Appeals**  
For The  
**First District of Texas**

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NO. 01-11-00845-CR

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**LARRY F. ERNESTON, Appellant**  
**V.**  
**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Court at Law No. 2**  
**Fort Bend County, Texas**  
**Trial Court Cause No. 98-CCR-077087**

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**MEMORANDUM OPINION**

Appellant, Larry F. Erneston, has filed a motion to dismiss the appeal. The motion complies with Texas Rule of Appellate Procedure 42.2(a). *See* TEX. R. APP. P. 42.2(a). We have not issued a decision in the appeal.

Accordingly, we order the appeal reinstated and we dismiss the appeal. *See* TEX. R. APP. P. 43.2(f). We dismiss any pending motions as moot.

We direct the Clerk to issue the mandate within 10 days of the date of this opinion. *See* TEX. R. APP. P. 18.1.

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Jennings and Keyes.

Do not publish.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