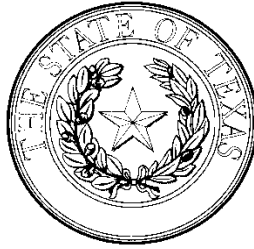


Opinion issued November 15, 2012



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

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NO. 01-12-00244-CR

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**JOHN O'BRIEN, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 338th District Court  
Harris County, Texas  
Trial Court Cause No. 1337021**

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**MEMORANDUM OPINION**

Appellant, John O'Brien, 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 yet not issued a decision in the appeal. *See id.* 42.2(b).

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

**PER CURIAM**

Panel consists of Chief Justice Radack and Justices Bland and Huddle.

Do not publish.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