

Dismissed and Memorandum Opinion filed October 28, 2010.



In The

Fourteenth Court of Appeals

NO. 14-10-00622-CR

WILLIAM JAMES SULLIVAN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 176th District Court
Harris County, Texas
Trial Court Cause No. 1170819**

MEMORANDUM OPINION

Appellant entered a plea of guilty, without an agreed recommendation on punishment, to aggravated assault against a public servant. On June 17, 2010, the trial court deferred a finding of guilt and placed appellant on community supervision for six years. Appellant filed a pro se notice of appeal on July 7, 2010.

On September 9, 2010, this court ordered a hearing to determine whether appellant was indigent. On September 15, 2010, the trial court conducted the hearing, and the record of the hearing was filed in this court on October 4, 2010.

At the hearing, the court admonished appellant about his right to appeal and to an appointed attorney. Appellant informed the court that he no longer wished to pursue his appeal.

Appellant has not filed a written motion to withdraw the appeal or a written motion to dismiss the appeal. *See* Tex. R. App. P. 42.2(a). However, based upon the testimony at the hearing that appellant does not want to continue his appeal, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case. *See* Tex. R. App. P. 2.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Chief Justice Hedges and Justices Yates and Sullivan.

Do Not Publish — Tex. R. App. P. 47.2(b).