



MEMORANDUM OPINION

No. 04-10-00238-CR

Rodolfo **GARCIA**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 406th Judicial District Court, Webb County, Texas
Trial Court No. 2009CRS000064D4
Honorable Oscar J Hale, Jr., Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice
Steven C. Hilbig, Justice
Marialyn Barnard, Justice

Delivered and Filed: October 6, 2010

MOTION TO DISMISS GRANTED; DS MISSED

Appellant filed a motion to dismiss this appeal. The motion is granted, and this appeal is dismissed. *See* Tex. R. App. P. 42.2(a).

PER CURIAM

DO NOT PUBLISH