



**COURT OF APPEALS  
SECOND DISTRICT OF TEXAS  
FORT WORTH**

**NO. 2-08-303-CR**

RACHEL N. DAY

APPELLANT

V.

THE STATE OF TEXAS

STATE

-----

FROM COUNTY CRIMINAL COURT NO. 3 OF DENTON COUNTY

-----

**MEMORANDUM OPINION<sup>1</sup>**

-----

Appellant Rachel N. Day appeals from the trial court's revocation of her community supervision for driving while intoxicated. At an abatement hearing in the trial court on June 23, 2009, Day orally and in writing expressed her desire that we dismiss the appeal. Accordingly, on our own initiative, we

---

<sup>1</sup> [See](#) Tex. R. App. P. 47.4.

suspend the requirements of rule 42.2(a) of the rules of appellate procedure,  
and we dismiss the appeal. See Tex. R. App. P. 2, 42.2(a), 43.2(f).

TERRIE LIVINGSTON  
JUSTICE

PANEL: LIVINGSTON, DAUPHINOT, and GARDNER, JJ.

DO NOT PUBLISH  
Tex. R. App. P. 47.2(b)

DELIVERED: July 16, 2009