



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

NO. 2-09-042-CR

JAMES CARROLL FRANKLIN

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 271ST DISTRICT COURT OF WISE COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered "Appellant's Motion To Dismiss Appeal." The motion complies with rule 42.2(a) of the rules of appellate procedure. Tex. R. App. P. 42.2(a). No decision of this court having been delivered before we received this motion, we grant the motion and dismiss the appeal. *See id.*; Tex. R. App. P. 43.2(f).

PER CURIAM

PANEL: GARDNER, WALKER, and MCCOY, JJ.

DO NOT PUBLISH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

DELIVERED: July 16, 2009

¹ [☐](#) See Tex. R. App. P. 47.4.