



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-09-00151-CR

BILLY R. BELGARD, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 188th Judicial District Court
Gregg County, Texas
Trial Court No. 37,584-A

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Chief Justice Morriss

MEMORANDUM OPINION

A jury convicted Billy R. Belgard of two counts of aggravated sexual assault of a child and assessed his punishment at life imprisonment.¹ Belgard filed his notice of appeal August 5, 2009.

This Court has now been informed that Belgard has died.

The death of an appellant during the pendency of his or her appeal deprives this Court of jurisdiction. TEX. R. APP. P. 7.1(a)(2); *Whitmire v. State*, 943 S.W.2d 894 (Tex. Crim. App. 1997); *Rheinlander v. State*, 918 S.W.2d 527, 528 (Tex. Crim. App. 1996).

Accordingly, we permanently abate this appeal.

Josh R. Morriss, III
Chief Justice

Date Submitted: February 22, 2010
Date Decided: February 23, 2010

Do Not Publish

¹This appeal is a companion appeal to cause number 06-09-00152-CR, in which Belgard was convicted of one count of aggravated sexual assault of a child and one count of indecency with a child and assessed a punishment of fifty-four years' and twenty years' imprisonment, respectively.