

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-18-00071-CR

Ex parte Daniel McCoy

**FROM THE COUNTY COURT AT LAW NO. 2 OF WILLIAMSON COUNTY
NO. 17-06464-2, HONORABLE LAURA BARKER, JUDGE PRESIDING**

MEMORANDUM OPINION

This is an appeal from the trial court's order denying relief on Daniel McCoy's application for writ of habeas corpus. The district clerk has filed a supplemental clerk's record notifying this Court of the State's motion to dismiss the underlying case, and the trial court's order granting that motion, because McCoy is deceased. This appeal is permanently abated. *See* Tex. R. App. P. 7.1(a)(2) (providing that appeal will be permanently abated if appellant in criminal case dies after perfecting appeal but before appellate court issues its mandate).

Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Goodwin and Field

Permanently Abated

Filed: May 18, 2018

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