



NUMBER 13-09-00261-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

BRITTANY RENEE PENA,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 36th District Court
of San Patricio County, Texas.**

MEMORANDUM OPINION

**Before Justices Yañez, Benavides, and Vela
Memorandum Opinion Per Curiam**

Appellant, Brittany Renee Pena, by and through her attorney, has filed a motion to dismiss her appeal because she no longer desires to prosecute it. See TEX. R. APP. P. 42.2(a). Without passing on the merits of the case, we grant the motion to dismiss pursuant to Texas Rule of Appellate Procedure 42.2(a) and dismiss the appeal. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained,

and our mandate will issue forthwith.

PER CURIAM

Do not publish.

TEX. R. APP. P. 47.2(b).

Memorandum Opinion delivered and
filed this 17th day of September, 2009.