



**NUMBER 13-09-00379-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**BRANDON MATT MCREYNOLDS,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On appeal from the County Court at Law No. 2  
of Victoria County, Texas.**

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**MEMORANDUM OPINION**

**Before Justices Yañez, Rodriguez, and Garza  
Memorandum Opinion Per Curiam**

Appellant, Brandon Matt McReynolds, was convicted of driving while intoxicated. On June 20, 2008, appellant filed a notice of appeal by and through his attorney. On February 11, 2010, this Court abated the appeal because no appellate brief had been filed, ordered the trial court to determine whether appellant desired to prosecute this appeal and instructed the trial court to make findings as to whether the appellant had abandoned his appeal.

Based on the trial court hearing, the trial court judge recommends that the appeal be dismissed. The trial court found that appellant is not represented by counsel, does not want appointed counsel and does not want to pursue his appeal.

Although no written motion has been filed in compliance with Rule 42.2(a) of the Texas Rules of Appellate Procedure, based upon the appellant's testimony at the hearing that he does not want to continue his appeal, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case. See TEX. R. APP. P. 2. Accordingly, we dismiss the appeal.

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Delivered and filed the  
25th day of March, 2010.