

**NO. 12-09-00004-CR
NO. 12-09-00005-CR**

**IN THE COURT OF APPEALS
TWELFTH COURT OF APPEALS DISTRICT
TYLER, TEXAS**

*JOSEPH LEE RHODES,
APPELLANT*

§ *APPEALS FROM THE 241ST*

V.

§ *JUDICIAL DISTRICT COURT OF*

*THE STATE OF TEXAS,
APPELLEE*

§ *SMITH COUNTY, TEXAS*

***MEMORANDUM OPINION
PER CURIAM***

Appellant has filed a motion to withdraw his notice of appeal. The motion is signed by Appellant's counsel and is supported by Appellant's affidavit. No decision having been delivered by this court, the motion is granted, and the appeals are dismissed in accordance with Texas Rule of Appellate Procedure 42.2.

Opinion delivered January 14, 2009.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(DO NOT PUBLISH)