

NO. 12-10-00126-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

§

*EX PARTE DENNIS ROGERS ,
RELATOR*

§ ORIGINAL PROCEEDING

§

*MEMORANDUM OPINION
PER CURIAM*

This is an appeal from an order denying Appellant's motion for a pretrial bond reduction. The State has filed a motion to dismiss the appeal. In its motion, the State informs this court that Appellant was convicted by a jury of the underlying criminal charge in this case and assessed a sentence of ninety-nine years of imprisonment. Because of the length of this sentence, Appellant may not be released on bail pending appeal. See TEX. CODE CRIM. PROC. ANN. art. 44.04(b) (Vernon 2006). The State also points out that Appellant's pretrial bond is no longer in effect since the date of his conviction. Accordingly, the State concludes that this appeal is moot. See *Smith v. State*, 848 S.W.2d 891, 893 (Tex. App.–Houston [14th Dist.] 1993, pet. ref'd) (issue of bail set on complaint is moot after appellant is convicted). We agree, and counsel for Appellant has informed this court that Appellant does not contest the motion. Accordingly, the appeal is *dismissed*.

Opinion delivered July 14, 2010.

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

(DO NOT PUBLISH)