

**NO. 12-10-00350-CR**

**IN THE COURT OF APPEALS**

**TWELFTH COURT OF APPEALS DISTRICT**

**TYLER, TEXAS**

*CHARLES ELLIS SHIRLEY,  
APPELLANT*

§ *APPEAL FROM THE 173RD*

*V.*

§ *JUDICIAL DISTRICT COURT OF*

*THE STATE OF TEXAS,  
APPELLEE*

§ *HENDERSON COUNTY, TEXAS*

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*MEMORANDUM OPINION  
PER CURIAM*

Appellant Charles Ellis Shirley, pro se, has filed a motion to strike his notice of appeal, which we construe as a motion to dismiss. Because Shirley has met the requirements of Texas Rule of Appellate Procedure 42.1(a)(1), the motion is granted, and the appeal is dismissed.

Opinion delivered October 27, 2010.

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

(DO NOT PUBLISH)