

**NO. 12-13-00140-CR**  
**IN THE COURT OF APPEALS**  
**TWELFTH COURT OF APPEALS DISTRICT**  
**TYLER, TEXAS**

***STEVEN WAYNE METCALF,***  
***APPELLANT***

§ ***APPEAL FROM THE 173RD***

***V.***

§ ***JUDICIAL DISTRICT COURT***

***THE STATE OF TEXAS,***  
***APPELLEE***

§ ***HENDERSON COUNTY, TEXAS***

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***MEMORANDUM OPINION***  
***PER CURIAM***

Appellant has filed a motion to dismiss this appeal. The motion is signed by Appellant's counsel, who has attached a signed letter from Appellant confirming that he no longer wishes to pursue the appeal. No decision has been delivered in this appeal. Accordingly, Appellant's motion to dismiss is ***granted***, and the appeal is ***dismissed***. See TEX. R. APP. P. 42.2(a).

Opinion delivered September 4, 2013.

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

(DO NOT PUBLISH)



## COURT OF APPEALS

### TWELFTH COURT OF APPEALS DISTRICT OF TEXAS

#### JUDGMENT

SEPTEMBER 4, 2013

NO. 12-13-00140-CR

STEVEN WAYNE METCALF,  
Appellant  
V.  
THE STATE OF TEXAS,  
Appellee

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Appeal from the 173rd District Court  
of Henderson County, Texas (Tr.Ct.No. B-19,494)

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THIS CAUSE came on to be heard on the motion of the Appellant to dismiss the appeal herein, and the same being considered, it is hereby ORDERED, ADJUDGED and DECREED by this Court that the motion be **granted** and the appeal be **dismissed**, and that this decision be certified to the court below for observance.

By *per curiam* opinion.

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