

NO. 12-13-00203-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*ADAM RYAN DAVIS,
APPELLANT*

§

APPEAL FROM THE 241ST

V.

§

JUDICIAL DISTRICT COURT

*THE STATE OF TEXAS,
APPELLEE*

§

SMITH COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

A supplemental clerk's record filed in this appeal includes a motion filed in the trial court, signed by Appellant and his counsel, requesting that the trial court accept Appellant's waiver of his right to appeal. The trial court granted the motion. The record also includes Appellant's affidavit requesting that this court dismiss the appeal, which we construe as a motion to dismiss.

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 July 10, 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(DO NOT PUBLISH)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**

JULY 10, 2013

NO. 12-13-00203-CR

ADAM RYAN DAVIS,
Appellant
V.
THE STATE OF TEXAS,
Appellee

Appeal from the 241st Judicial District Court
of Smith County, Texas. (Tr.Ct.No. 241-0370-07)

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 to dismiss 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.