

NOT DESIGNATED FOR PUBLICATION

**STATE OF LOUISIANA
COURT OF APPEAL, THIRD CIRCUIT**

12-1338

STATE OF LOUISIANA

VERSUS

J. A. C., JR.

**APPEAL FROM THE
NINTH JUDICIAL DISTRICT COURT
PARISH OF RAPIDES, NO. 303156
HONORABLE THOMAS MARTIN YEAGER, DISTRICT JUDGE**

**JOHN D. SAUNDERS
JUDGE**

Court composed of Sylvia R. Cooks, John D. Saunders, and Marc T. Amy, Judges.

APPEAL DISMISSED.

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Saunders, Judge.

On July 29, 2010, Defendant, J.A.C., Jr., was charged with one count of child desertion in violation of La.R.S. 14:93.2.1. Defendant was also charged by separate docket number with second degree murder, in violation of La.R.S. 14:30.1, and two counts of attempted first degree murder of a law enforcement officer, in violation of La.R.S. 14:27 and La.R.S. 14:30.

A motion for appeal was filed on June 4, 2012, seeking review of the trial court's rulings in both of the separate docket numbers related to the convictions and sentences. Following the filing of the motion for appeal, on June 13, 2012, the State *nolle prosequit* the charge for child desertion under docket number 303,156.

On November 27, 2012, the matters came before this court in separate records. This court issued a rule to show cause on December 3, 2012, why the appeal should not be dismissed, as the child desertion charge was previously *nolle prosequit*.

Defendant responded on December 26, 2012, asserting that there was no basis to argue the appeal should not be dismissed. Accordingly, we hereby dismiss the Defendant's appeal.

APPEAL DISMISSED.