

Order entered March 12, 2013



In The
Court of Appeals
Fifth District of Texas at Dallas

No. 05-12-00884-CR
No. 05-12-00885-CR

JOHN JERONTON POGUE, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 439th Judicial District Court
Rockwall County, Texas
Trial Court Cause Nos. 2-12-238, 2-11-437

ORDER

The Court **REINSTATES** the appeals.

On February 19, 2013, we ordered the trial court to make findings regarding why appellant's brief has not been filed. We have received a motion to dismiss these appeals signed by counsel. The motion is accompanied by a letter signed by appellant indicating he only wishes to pursue the appeal of his aggravated assault conviction, which is docketed as cause no. 05-12-00883-CR. Accordingly, we conclude findings are no longer necessary and **VACATE** the February 19, 2013 order. We will dispose of the motion to dismiss the appeals in due course.

/s/ **DAVID EVANS**
 JUSTICE