

**DISMISS; and Opinion Filed August 22, 2013.**



**In The  
Court of Appeals  
Fifth District of Texas at Dallas**

---

**No. 05-13-00638-CR**

---

**DELARIAN DEMONT FRANKLIN, APPELLANT**

**V.**

**THE STATE OF TEXAS, APPELLEE**

---

**On Appeal from the 291st Judicial District Court  
Dallas County, Texas  
Trial Court Cause No. F12-59900-U**

---

**MEMORANDUM OPINION**  
Before Justices O'Neill, Francis, and Fillmore

Appellant has filed a motion to dismiss the appeal. Appellant's counsel has approved the motion. The Court **GRANTS** the motion and **ORDERS** that the appeal be **DISMISSED** and this decision be certified below for observance. See TEX. R. APP. P. 42.2(a).

PER CURIAM

Do Not Publish  
TEX. R. APP. P. 47

130638F.U05