

Opinion issued November 20, 2008



In The
Court of Appeals
For The
First District of Texas

NO. 01-08-00389-CR

JOSE ZUNIGA, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 56th District Court
Galveston County, Texas
Trial Court Cause No. 05-CR-0242**

MEMORANDUM OPINION

On October 29, 2008, appellant, Jose Zuniga, filed a motion to dismiss this appeal. The motion complies with the Texas Rules of Appellate Procedure. *See* TEX.

R. APP. P. 42.2(a).

We have not yet issued a decision. Accordingly, we **grant** the motion and **dismiss** the appeal.

We dismiss any pending motions as moot.

We direct the Clerk of this Court to issue the mandate. TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Justices Jennings, Hanks, and Bland.

Do not publish. TEX. R. APP. P. 47.2(b).