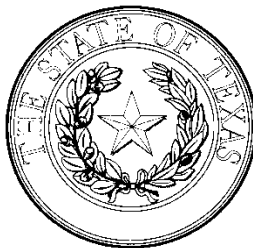


Opinion issued November 17, 2011.



In The
Court of Appeals
For The
First District of Texas

NO. 01-09-00148-CR

TROY DOUGLAS CONOVER, Appellant
V.
THE STATE OF TEXAS, Appellee

**On Appeal from County Criminal Court at Law No. 11
Harris County, Texas
Trial Court Case No. 1561105**

MEMORANDUM OPINION

Appellant, Troy Douglas Conover, has filed a motion to dismiss the above-referenced appeal. A hearing was held in the trial court on appellant's motion, at which appellant appeared via teleconference and was represented by counsel. The trial court found that appellant no longer wishes to prosecute the appeal.

The Texas Rules of Appellate Procedure require that appellant and his counsel sign the motion to dismiss. *See* TEX. R. APP. P. 42.2(a). Here, counsel did not sign the motion. However, based upon appellant's testimony at the hearing and the trial court's finding that appellant wishes to dismiss the appeal, we conclude that good cause exists to suspend the operation of Rule 42.2(a). *See* TEX. R. APP. P. 2, 42.2(a); *Connors v. State*, 966 S.W.2d 108, 110-11 (Tex. App—Houston [1st Dist.] 1998, pet. ref'd).

We have not yet issued an opinion. Accordingly, the motion is **granted** and the appeal is **dismissed**. We dismiss any pending motions as moot.

The Clerk is directed to issue the mandate within 10 days of the date of this opinion. TEX. R. APP. P. 18.1.

PER CURIAM

Panel consists of Justices Keyes, Higley, and Massengale.

Do not publish.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