

Opinion issued April 3, 2014



In The
Court of Appeals
For The
First District of Texas

NO. 01-14-00227-CR

IN RE THE STATE OF TEXAS, Relator

Original Proceeding on Petition for Writ of Mandamus

MEMORANDUM OPINION

On March 18, 2014, Relator, The State of Texas, filed a petition for writ of mandamus with this Court requesting a jury charge instruction be set aside.* On March 19, 2014, Relator filed a motion to withdraw the petition for writ of mandamus. No prior opinion has been issued on Relator's petition for writ of mandamus.

* The underlying case is *The State of Texas v. Sean Michael McGuire*, cause number 10-DCR-55,898, pending in the 240th Judicial District Court of Fort Bend County, Texas, the Honorable Donald Higginbotham presiding.

We grant the motion and dismiss the petition for writ of mandamus.

PER CURIAM

Panel consists of Justices Keyes, Bland, and Brown.

Do not publish.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