

Opinion issued September 29, 2016



In The
Court of Appeals
For The
First District of Texas

NO. 01-16-00659-CR

DERICK MODACURE, Appellant
V.
THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Case No. 1472865**

MEMORANDUM OPINION

Appellant, Derick Modacure, has filed a motion to dismiss his appeal. The motion complies with Texas Rule of Appellate Procedure 42.2(a). *See* TEX. R. APP. P. 42.2(a). We have not issued a decision in the appeal. The Clerk of this Court has sent a duplicate copy to the trial court clerk. *Id.*

Accordingly, we dismiss the appeal. *See* TEX. R. APP. P. 43.2(f). We dismiss any pending motions as moot.

PER CURIAM

Panel consists of Chief Justice Radack and Justices Higley and Huddle.

Do not publish.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