

Opinion issued October 25, 2018



In The
Court of Appeals
For The
First District of Texas

NO. 01-18-00495-CR

ALEXANDER DESHANE CLAYTON, Appellant
V.
THE STATE OF TEXAS, Appellee

**On Appeal from the 177th District Court
Harris County, Texas
Trial Court Case No. 1554204**

MEMORANDUM OPINION

Appellant, Alexander Deshane Clayton, was convicted of third-degree felony assault and sentenced to 7 years' confinement. *See* TEX. PENAL CODE 22.01(a), (b)(2). Clayton filed a notice of appeal, but before he filed his brief, he filed a motion to dismiss the appeal. The motion complies with Texas Rule of

Appellate Procedure 42.2. *See* TEX. R. APP. P. 42.2(a). We have not issued a decision in the appeal. *See id.* Clayton and his attorney have both signed the motion. *See id.* The Clerk of this Court has sent a duplicate copy to the trial court clerk. *See id.* Accordingly, we grant Clayton's motion and 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 Brown and Caughey.

Do not publish.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