

Opinion issued November 9, 2021



In The
Court of Appeals
For The
First District of Texas

NO. 01-21-00304-CV

RICHARD BARROSO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 412th District Court
Brazoria County, Texas
Trial Court Case No. 110208-I**

MEMORANDUM OPINION

Appellant, Richard Barroso, currently incarcerated and appearing pro se, filed a notice of appeal from the trial court’s May 18, 2021 “Order of Dismissal.” On October 29, 2021, appellant filed a “Motion to Voluntarily Dismissal Appeal.” *See* TEX. R. APP. P. 42.1(a)(1).

Appellant's motion does not include a certificate of conference stating that he conferred or made a reasonable effort to confer with appellee, The State of Texas, regarding the relief requested in the motion. *See* TEX. R. APP. P. 10.1(a)(5). However, more than ten days have passed, and no party has expressed opposition to appellant's motion. *See* TEX. R. APP. P. 10.3(a). No other party has filed a notice of appeal, and no opinion has issued. *See* TEX. R. APP. P. 42.1(a)(1), (c).

Accordingly, we grant appellant's motion and dismiss the appeal. *See* TEX. R. APP. P. 42.1(a)(1), 43.2(f). We dismiss all other pending motions as moot.

PER CURIAM

Panel consists of Justices Hightower, Countiss, and Guerra.