

**Opinion issued June 28, 2022**



**In The  
Court of Appeals  
For The  
First District of Texas**

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**NO. 01-21-00683-CV**

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**EX PARTE X.D.W.**

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**On Appeal from the 333rd District Court  
Harris County, Texas  
Trial Court Case No. 2021-57583**

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**MEMORANDUM OPINION**

Appellant, State of Texas, appealed from the trial court’s November 3, 2021 “Order Directing Expunction After Acquittal.” On June 15, 2022, the State filed a motion to dismiss, stating that in light of a recent decision from the Texas Supreme Court, the State “no longer desires to seek an appeal in this case” and requesting that the appeal be dismissed.

The motion does not include a certificate of conference stating that the State conferred, or made a reasonable effort to confer, with appellee 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 the 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 the State'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 Landau, Guerra, and Farris.