

Dismissed and Memorandum Opinion filed November 3, 2011.



In The

Fourteenth Court of Appeals

**NO. 14-11-00397-CR
NO. 14-11-00398-CR**

JOHN MANUEL CASTILLO, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 174th District Court
Harris County, Texas
Trial Court Cause Nos. 1166478 & 1175858**

MEMORANDUM OPINION

Appellant entered guilty pleas, without agreements as to punishment, to assault and injury to the elderly. On April 19, 2011, the trial court sentenced appellant to confinement for two years in the Institutional Division of the Texas Department of Criminal Justice in each case, with the sentences to be served concurrently. Appellant is not represented by counsel in these appeals. Appellant's brief was due July 14, 2011, but it was not filed. This court abated the appeals for the trial court to determine whether appellant desires to prosecute his appeals, and if so, whether he is entitled to appointed counsel on appeal. *See* Tex. R. App. P. 38.8(b).

A record from the hearing ordered by this court has now been filed. At the hearing, appellant confirmed to the trial court that he wishes to withdraw his notices of appeal. Appellant has not filed a written motion to withdraw the appeals in compliance with Rule 42.2(a) of the Texas Rules of Appellate Procedure. *See* Tex. R. App. P. 42.2(a). However, given appellant's expressed desire to forego pursuit of these appeals, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case in accordance with Rule 2. *See* Tex. R. App. P. 2. Because this court has not delivered an opinion, we grant appellant's request to withdraw his appeals.

Accordingly, we order the appeals dismissed. We direct the clerk of the court to issue the mandates of the court immediately.

PER CURIAM

Panel consists of Justices Brown, Boyce, and McCally.

Do Not Publish — Tex. R. App. P. 47.2(b).