

**Motion Granted; Appeal Dismissed and Memorandum Opinion filed March 24, 2015.**



**In The  
Fourteenth Court of Appeals**

---

**NO. 14-15-00163-CR**

---

**PERCY BENJAMIN SMITH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

---

**On Appeal from the 412th District Court  
Brazoria County, Texas  
Trial Court Cause No. 65134-B**

---

**M E M O R A N D U M    O P I N I O N**

On February 25, 2015, appellant filed a pro se notice of appeal complaining of the trial court's failure to rule on his application for writ of habeas corpus. On March 11, 2015, appellant filed a letter stating the notice of appeal was filed in error and requesting that we dismiss the appeal. We have construed the letter as a motion to dismiss the appeal. *See* Tex. R. App. P. 42.2(a). The motion is granted.

Accordingly, the appeal is ordered dismissed.

PER CURIAM

Panel consists of Justices Christopher, Donovan, and Wise.

Do Not Publish — Tex.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