

**Dismissed and Memorandum Opinion filed February 11, 2016.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-15-00733-CR**

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**GLENN E. MARSH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Criminal Court at Law No. 3  
Harris County, Texas  
Trial Court Cause No. 2012591**

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

A jury convicted appellant of driving while intoxicated. On August 11, 2015, the trial court sentenced appellant to confinement for 60 days in the Harris County Jail. Appellant filed a notice of appeal on August 11, 2015.

On January 13, 2016, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On February 4, 2016, the

trial court conducted the hearing, and the record of the hearing was filed in this court on the same day.

At the hearing, appellant, together with his counsel, confirmed that he had discussed the issues with counsel and determined that appellant no longer wished to pursue his appeal.

Appellant has not filed a written motion to withdraw the appeal or a written motion to dismiss the appeal. *See* Tex. R. App. P. 42.2(a). However, based on the testimony at the hearing that appellant does not want to continue his appeal, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case. *See* Tex. R. App. P. 2.

Accordingly, we dismiss the appeal.

PER CURIAM

Panel consists of Justices Jamison, Donovan, and Brown.  
Do Not Publish — Tex. R. App. P. 47.2(b).