

*Court Of Appeals  
Fourth Court of Appeals District of Texas  
San Antonio*

★

★

★



★

★

★

**MEMORANDUM OPINION**

No. 04-08-00912-CR

Ben **DENN**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 227th Judicial District Court, Bexar County, Texas  
Trial Court No. 2007-CR-5973  
Honorable Philip A. Kazen, Jr., Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Justice  
Phylis J. Speedlin, Justice  
Rebecca Simmons, Justice

Delivered and Filed: August 19, 2009

DISMISSED

On August 11, 2009, appellant filed a motion to dismiss. The motion is **GRANTED**, and the appeal is dismissed. *See* TEX. R. APP. P. 42.2(a).

PER CURIAM

DO NOT PUBLISH