

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



**MEMORANDUM OPINION**

No. 04-09-00597-CR

Xavier AVES,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 379th Judicial District Court, Bexar County, Texas  
Trial Court No. 2006-CR-5521  
Honorable Ron Rangel, Judge Presiding

PER CURIAM

Sitting: Catherine Stone, Chief Justice  
Karen Angelini, Justice  
Marialyn Barnard, Justice

Delivered and Filed: April 21, 2010

**MOTION TO DISMISS GRANTED; APPEAL DISMISSED**

Appellant Xavier Aves filed a motion to dismiss this appeal and for expedited issuance of the mandate. The motion to dismiss is granted, and the appeal is dismissed. *See* TEX. R. APP. P. 42.2(a). We **order** the clerk of this court to immediately issue the mandate. *See* TEX. R. APP. P. 18.1(c).

PER CURIAM

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