



**Fourth Court of Appeals**  
**San Antonio, Texas**

**MEMORANDUM OPINION**

No. 04-13-00577-CR

Jose **PRADO**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 290th Judicial District Court, Bexar County, Texas  
Trial Court No. 2013CR0769  
Honorable Melisa Skinner, Judge Presiding

PER CURIAM

Sitting: Marialyn Barnard, Justice  
Rebeca C. Martinez, Justice  
Patricia O. Alvarez, Justice

Delivered and Filed: October 30, 2013

DISMISSED

A jury found appellant Jose Prado guilty of the offense of indecency with a child by contact. On August 14, 2013, the trial court sentenced appellant three years confinement. On August 21, 2013, appellant filed a notice of appeal. On August 27, 2013, appellant filed a pro se motion to dismiss the appeal, but the motion was filed in the trial court. On September 6, 2013, appellant's appointed appellate counsel filed a notice of intent to abandon the appeal, which was signed by appellant. This notice, like the motion to dismiss, was filed in the trial court.

On September 9, 2013, the trial court held a hearing at which appellant and his appointed appellate counsel appeared. At the hearing, the trial court questioned appellant and his attorney. At the conclusion of the hearing, based on responses from appellant and his counsel, the trial court found appellant desired to abandon his appeal, and that the decision to abandon the appeal was made knowingly, intelligently, and voluntarily. The record from this hearing was forwarded to this court on October 21, 2013.

Based on appellant's desire to abandon the appeal, a decision the trial court determined was made knowingly, intelligently, and voluntarily, this appeal is dismissed. *Cf.* TEX. R. APP. P. 42.2(a).

PER CURIAM

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