



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

**MEMORANDUM OPINION**

No. 04-12-00257-CR

Robert Lane **MARSH**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the 437th Judicial District Court, Bexar County, Texas  
Trial Court No. 2009CR0761  
Honorable Lori I. Valenzuela, Judge Presiding

PER CURIAM

Sitting: Karen Angelini, Justice  
Santee Bryan Marion, Justice  
Patricia O. Alvarez, Justice

Delivered and Filed: November 12, 2014

APPEAL DISMISSED

In an opinion issued on May 1, 2013, this court considered the merits of appellant's appeal after determining appellant had not waived his right to appeal the denial of his motion to suppress. *See* TEX. R. APP. P. 25.2(a)(2). After considering the merits, we affirmed the trial court's judgment. The State subsequently filed a petition for discretionary review with the Court of Criminal Appeals. The Court determined the State could raise, for the first time on appeal, a complaint about an amended certification of defendant's right to appeal. The Court concluded

appellant had waived his right to appeal the denial of his motion to suppress, vacated our decision, and ordered this court to withdraw its opinion and dismiss the appeal.

We withdraw our opinion and judgment of May 1, 2013, and dismiss this appeal.

PER CURIAM

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