



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-16-00345-CR

Gerardo **VENEGAS**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 341st Judicial District Court, Webb County, Texas
Trial Court No. 2014CRH001475 D3
Honorable Rebecca Ramirez Palomo, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Karen Angelini, Justice
Marialyn Barnard, Justice

Delivered and Filed: June 22, 2016

DISMISSED

The State has filed a motion to dismiss this appeal because the appellant escaped from custody and has not been recaptured or voluntarily returned to lawful custody with the state. The motion is supported by an affidavit stating appellant escaped from custody during his trial, was convicted in absentia on May 23, 2016, and had not returned to custody as of June 16, 2016. The motion is granted, and the appeal is dismissed. TEX. R. APP. P. 42.4.

PER CURIAM

DO NOT PUBLISH