



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

**MEMORANDUM OPINION**

No. 04-16-00543-CR

David Gerardo **RINCON**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the County Court at Law No. 2, Webb County, Texas  
Trial Court No. 2014CRB000880 L2  
Honorable Jesus Garza, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice  
Luz Elena D. Chapa, Justice  
Jason Pulliam, Justice

Delivered and Filed: December 30, 2016

DISMISSED

Appellant filed a motion to dismiss this appeal; the motion is signed by Appellant and his counsel. *See* TEX. R. APP. P. 42.2(a). Appellant's motion is granted; this appeal is dismissed. *See id.*; *Hypolite v. State*, 647 S.W.2d 294, 295 (Tex. Crim. App. 1983); *Connors v. State*, 966 S.W.2d 108, 110 (Tex. App.—Houston [1st Dist.] 1998, pet. ref'd).

PER CURIAM

DO NOT PUBLISH