



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

**MEMORANDUM OPINION**

No. 04-16-00581-CR

Javier **PARRA-PEREA**,  
Appellant

v.

The **STATE** of Texas,  
Appellee

From the County Court at Law No. 14, Bexar County, Texas  
Trial Court No. 501025  
Honorable Raymond Angelini, Judge Presiding<sup>1</sup>

PER CURIAM

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

Delivered and Filed: December 28, 2016

**MOTION TO DISMISS GRANTED; APPEAL DISMISSED**

Appellant filed a motion to dismiss this appeal.<sup>2</sup> The motion is granted, and this appeal is dismissed. *See* TEX. R. APP. P. 42.2(a).

PER CURIAM

DO NOT PUBLISH

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<sup>1</sup> The Honorable Raymond Angelini, retired, sitting by assignment.

<sup>2</sup> Appellant entitled his motion as a motion to abate. However, the substance of the motion seeks dismissal of the appeal. Accordingly, we construe the motion as a motion to dismiss. *See State v. Boyd*, 202 S.W.3d 393, 400 (Tex. App.—Dallas 2006, pet. ref'd) (citing *Savage v. State*, 933 S.W.2d 497, 499 (Tex. Crim. App. 1996); *State v. Evans*, 843 S.W.2d 576, 577 (Tex. Crim. App. 1992) (en banc)).