



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-17-00331-CV

Guadalupe **ALCANTAR**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 290th Judicial District Court, Bexar County, Texas
Trial Court No. 1993-CR-3295
Honorable Andrew Carruthers, Judge Presiding

PER CURIAM

Sitting: Patricia O. Alvarez, Justice
Luz Elena D. Chapa, Justice
Irene Rios, Justice

Delivered and Filed: October 4, 2017

DISMISSED

Appellant and the State filed an agreed motion to dismiss this appeal of the trial court's order denying Appellant's residential reassignment and release. The motion to dismiss states the trial court substituted new counsel for Appellant and set a hearing on Appellant's commitment.

Without deciding whether this court has subject matter jurisdiction over the merits of this appeal, *see Powell v. State*, 487 S.W.3d 768, 771 (Tex. App.—Dallas 2016, no pet.), we grant the parties' joint motion, *see* TEX. R. APP. P. 42.1(a)(2), 43.2(f); *Caballero v. Heart of Tex. Pizza, L.L.C.*, 70 S.W.3d 180, 181 (Tex. 2001) (per curiam).

We dismiss this appeal without prejudice to any right Appellant may have to seek appellate review of the trial court's actions. *See generally* TEX. CODE CRIM. PROC. ANN. art. 46B.103(d)(3) (West Supp. 2017); TEX. HEALTH & SAFETY CODE ANN. § 593.056 (West 2017); *Powell*, 487 S.W.3d at 771.

PER CURIAM