



Fourth Court of Appeals
San Antonio, Texas

MEMORANDUM OPINION

No. 04-19-00654-CR

Sir Alex Meyers **RANDOLPH**,
Appellant

v.

The **STATE** of Texas,
Appellee

From the 175th Judicial District Court, Bexar County, Texas
Trial Court No. 2018CR0281
Honorable Maria Teresa (Tessa) Herr, Judge Presiding

PER CURIAM

Sitting: Sandee Bryan Marion, Chief Justice
Beth Watkins, Justice
Liza A. Rodriguez, Justice

Delivered and Filed: November 13, 2019

MOTION TO DISMISS GRANTED; APPEAL DISMISSED

Appellant Sir Alex Randolph appeals his conviction for compelling prostitution. On October 4, 2019, appellant filed a pro se motion to dismiss the appeal, stating he no longer wishes to pursue this appeal.

Rule 42.2(a) of the Texas Rules of Appellate Procedure provides that an appellate court may dismiss an appeal upon appellant's motion so long as the motion is signed by appellant and his attorney. TEX. R. APP. P. 42.2(a). Although signed by the appellant, the motion is not signed by appellant's appointed attorney.

On October 11, 2019, we notified appellant's appointed attorney of our intent to dismiss the appeal unless he demonstrated by October 21, 2019 meritorious grounds for retaining the appeal. No response has been filed.

Accordingly, on our own motion and for good cause, we suspend the operation of Rule 42.2(a)'s requirement that a motion to dismiss be signed by both the appellant and his attorney. *See id.* R. 2.; *see also Haste v. State*, No. 14-18-00500-CR, 2019 WL 2305753, at *1 (Tex. App.—Houston (14th Dist.) May 30, 2019, no pet.) (per curiam) (suspending Rule 42.2(a) and granting motion to dismiss that was not signed by appellant's attorney). We therefore grant appellant's motion and dismiss the appeal.

PER CURIAM

DO NOT PUBLISH