

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-12-00064-CR**

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**WAYNE ARNOLD GRAY, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the County Court**  
**Hardin County, Texas**  
**Trial Cause No. 62606**

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**MEMORANDUM OPINION**

On November 1, 2013, we received a suggestion of death and a copy of a death certificate, certifying that the appellant, Wayne Arnold Gray, died on September 24, 2013. Because the death occurred after Gray perfected appeal and before we issued our mandate, the appeal must be permanently abated. Tex. R. App. P. 7.1(a)(2). Accordingly, the appeal is permanently abated.

APPEAL ABATED.

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HOLLIS HORTON  
Justice

Opinion Delivered November 13, 2013  
Do Not Publish  
Before McKeithen, C.J., Kreger and Horton, JJ.