

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-12-00534-CR

TERRY LYNDELL BENTON, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 252nd District Court
Jefferson County, Texas
Trial Cause No. 09-07948

MEMORANDUM OPINION

Appellant Terry Lyndell Benton filed a motion to dismiss his appeal pursuant to Tex. R. App. P. 42.2. The motion is signed by appellant personally after counsel filed a brief which certifies that counsel could find no arguable error on which to base an appeal. We therefore treat the motion to dismiss the appeal as agreed to by counsel. *See* Tex. R. App. P. 42.2. No opinion has issued in this appeal.

It is ORDERED that the motion to dismiss the appeal is GRANTED, and the appeal is therefore DISMISSED.

APPEAL DISMISSED.

STEVE McKEITHEN
Chief Justice

Opinion Delivered May 22, 2013
Do Not Publish
Before McKeithen, C.J., Gaultney and Kreger, JJ.