

In The
Court of Appeals
Ninth District of Texas at Beaumont

NO. 09-16-00332-CR

DAVID RICHARD SMOTHERS, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 359th District Court
Montgomery County, Texas
Trial Cause No. 12-04-03934-CR

MEMORANDUM OPINION

David Richard Smothers has filed a motion to dismiss his appeal. *See* Tex. R. App. P. 42.2. A request to dismiss the appeal is signed by the appellant personally and joined by counsel of record. No opinion has issued in this appeal. The motion is granted, and the appeal is therefore dismissed.

APPEAL DISMISSED.

HOLLIS HORTON
Justice

Submitted on December 27, 2016
Opinion Delivered December 28, 2016
Do Not Publish
Before McKeithen, C.J., Horton and Johnson, JJ.