



**COURT OF APPEALS
SECOND DISTRICT OF TEXAS
FORT WORTH**

NO. 2-07-424-CR

TOBE C. Nwigwe

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM COUNTY CRIMINAL COURT NO. 3 OF DENTON COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered the “Appellant’s Withdrawal Of Notice Of Appeal (Pursuant to Texas Rule Of Appellate Procedure 42.2)” filed by appellant Tobe C. Nwigwe, pro se. The motion complies with rule 42.2(a) of the rules of appellate procedure. Tex. R. App. P. 42.2(a). No decision of this court having been delivered before we received this motion, we grant the motion and dismiss the appeal. *See id.*, Tex. R. App. P. 43.2(f).

PER CURIAM

PANEL: DAUPHINOT, GARDNER, and WALKER, JJ.

DO NOT PUBLISH
Tex. R. App. P. 47.2(b)

DELIVERED: April 2, 2009

¹ [☐](#) See Tex. R. App. P. 47.4.