



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

**NOS. 2-09-007-CR
2-09-008-CR**

BENITO T. MENDEZ JR.

APPELLANT

V.

THE STATE OF TEXAS

STATE

FROM THE 297TH DISTRICT COURT OF TARRANT COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered appellant's "Motion To Dismiss Appeal." 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 Tex. R. App. P. 42.2(a), 43.2(f).

PER CURIAM

PANEL: LIVINGSTON, DAUPHINOT, and GARDNER, JJ.

DO NOT PUBLISH

Tex. R. App. P. 47.2(b)

DELIVERED: February 19, 2009

¹ [See](#) Tex. R. App. P. 47.4.