



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

**NO. 02-11-00319-CR
NO. 02-11-00320-CR**

THE STATE OF TEXAS

STATE

V.

DAVID WAYNE BUTLER

APPELLEE

FROM CRIMINAL DISTRICT COURT NO. 1 OF TARRANT COUNTY

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered the State's "Motion To Dismiss State's Brief 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. 43.2(f).

PER CURIAM

¹See Tex. R. App. P. 47.4.

PANEL: WALKER, MCCOY, and MEIER, JJ.

DO NOT PUBLISH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

DELIVERED: November 23, 2011