



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

NO. 02-17-00170-CR

THE STATE OF TEXAS

STATE

V.

CHRISTOPHER ANDREW AX

APPELLEE

FROM THE 235TH DISTRICT COURT OF COOKE COUNTY
TRIAL COURT NO. CR15-00301

MEMORANDUM OPINION¹ AND JUDGMENT

We have considered the “Motion For Voluntary Dismissal Of [the] State’s 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).

¹See Tex. R. App. P. 47.4.

Costs of the appeal shall be paid by the State, for which let execution issue. See Tex. Code Crim. Proc. Ann. art. 44.01(f).

PER CURIAM

PANEL: PITTMAN, J.; SUDDERTH, C.J.; and BIRDWELL, J.

DO NOT PUBLISH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

DELIVERED: December 21, 2017