

NO. 07-12-0243-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
AUGUST 15, 2012

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GERARDO PEREZ III, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 64<sup>TH</sup> DISTRICT COURT OF HALE COUNTY;  
NO. A18570-1009; HONORABLE ROBERT W. KINKAID, JUDGE

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Before QUINN, C.J., and HANCOCK and PIRTLE, JJ.

### **MEMORANDUM OPINION**

Following a plea of true to the State's motion to proceed, Appellant, Gerardo Perez III, was adjudicated guilty of evading arrest or detention with a vehicle<sup>1</sup> and sentenced to one year in a state jail facility and a fine of \$1,500. Pending before this Court is Appellant's *Motion to Dismiss Appeal* in which he represents he wishes to withdraw his notice of appeal. As required by Rule 42.2(a) of the Texas Rules of

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<sup>1</sup>Tex. Penal Code Ann. § 38.04(b)(1)(B) (West Supp. 2011).

Appellate Procedure, the motion is signed by Appellant and his attorney. No decision of this Court having been delivered, the motion is granted and the appeal is dismissed. No motion for rehearing will be entertained and our mandate will issue forthwith.

Patrick A. Pirtle  
Justice

Do not publish.