



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-14-00254-CR

EX PARTE JUSTIN SCOTT MEADS,

Appellant

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From the County Court at Law No 1  
Brazos County, Texas  
Trial Court No. 14-00160-CRM-CCL1

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MEMORANDUM OPINION

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Justin Scott Meads appeals the denial of his pretrial writ of habeas corpus. “Where the premise of a habeas corpus application is destroyed by subsequent developments, the legal issues raised thereunder are rendered moot.” *Hubbard v. State*, 841 S.W.2d 33, 33 (Tex. App.—Houston [14th Dist.] 1992, no pet.). On October 13, 2014, the State moved the trial court to dismiss the underlying case because Meads continues to be incompetent and because he has a “blue warrant for parole violations.” The trial court dismissed the underlying case.

In the Clerk of the Court’s October 22, 2014 letter, Meads was notified that the Court would dismiss his appeal because it appears to be moot unless, within twenty-

one days after the date of the letter, Meads showed grounds for continuing the appeal. In response, Meads has filed a “Withdrawal of Notice of Appeal” in which he states that he “respectfully moves this Court to withdraw Defendant’s Notice of Appeal and to dismiss the appeal, pursuant to Rule 42.2 of the *Texas Rules of Appellate Procedure*.”<sup>1</sup> Rule 42.2(a) requires motions to dismiss in criminal cases to be signed by the appellant *and* his or her attorney. TEX. R. APP. P. 42.2(a). Meads’s motion to dismiss has been signed only by his attorney; therefore, we deny the motion. We nevertheless dismiss this appeal because the legal issues were rendered moot when the trial court dismissed the underlying case.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed November 20, 2014  
Do not publish  
[CR25]



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<sup>1</sup> We have no authority under Rule 42.2 to “withdraw Defendant’s Notice of Appeal”; therefore, we will construe Meads’s motion as a motion to voluntarily dismiss his appeal. *See* TEX. R. APP. P. 42.2.