



**IN THE
TENTH COURT OF APPEALS**

No. 10-16-00257-CR

DON PAUL WAMMACK,

Appellant

v.

THE STATE OF TEXAS,

Appellee

**From the 40th District Court
Ellis County, Texas
Trial Court No. 40949CR**

MEMORANDUM OPINION

Don Paul Wammack appealed the trial court's Order to Administer Psychoactive Medication signed on July 22, 2016. He has now filed a motion to withdraw that notice of appeal and dismiss the appeal.¹ Wammack and his counsel have both signed the motion.

¹ The motion was not served as required by Rule 9.5 of the Texas Rules of Appellate Procedure. However, we dispense with the service requirement and proceed to the merits of the motion. *See* TEX. R. APP. P. 2.

The motion is granted, and this appeal is dismissed. *See* TEX. R. APP. P. 42.2(a).

TOM GRAY
Chief Justice

Before Chief Justice Gray,
Justice Davis, and
Justice Scoggins

Appeal dismissed

Opinion delivered and filed September 14, 2016

Do not publish

[CR25]

