



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-19-00086-CR

TILWEN GREEN,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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From the 77th District Court  
Freestone County, Texas  
Trial Court No. 17-041-CR

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MEMORANDUM OPINION

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Appellant sought to appeal his conviction for aggravated assault on a public servant. *See* TEX. PENAL CODE ANN. § 22.02(b)(2)(B). On March 18, 2020, appellant's counsel informed this Court by Motion to Permanently Abate Appeal that appellant passed away on December 6, 2019. A certified copy of appellant's death certificate was attached to the motion.

No opinion or mandate has been issued in the appeal. Therefore, in accordance with Rule 7.1(a)(2) of the Texas Rules of Appellate Procedure, appellant's motion is

granted, and this appeal is permanently abated. TEX. R. APP. P. 7.1(a)(2); *see also Freeman v. State*, 11 S.W.3d 240 (Tex. Crim. App. 2000); *Hanson v. State*, 790 S.W.2d 646, 646 (Tex. Crim. App. 1990) (noting that the death of an appellant during the pendency of an appeal deprives the appellate courts of jurisdiction).

TOM GRAY  
Chief Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Neill  
Appeal permanently abated  
Opinion delivered and filed March 23, 2020  
Do not publish  
[CRPM]

