

**TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN**

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**NO. 03-08-00664-CR**

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**Sergio Sierra, Appellant**

**v.**

**The State of Texas, Appellee**

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**FROM THE DISTRICT COURT OF TRAVIS COUNTY, 390TH JUDICIAL DISTRICT  
NO. 9030515, HONORABLE JULIE H. KOCUREK, JUDGE PRESIDING**

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**ORDER**

**PER CURIAM**

Appellant's trial counsel has filed with this Court a motion for leave to withdraw as counsel. Trial counsel states that he is not the attorney of record on appeal and he has not represented appellant on any appellate matters. Because counsel represented appellant at trial, and not on appeal, this motion should be filed in the trial court. We overrule the motion and instruct trial counsel to re-file his motion in the district court.

Before Chief Justice Law, Justices Puryear and Pemberton

Filed: December 19, 2008

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