

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

**NO. 03-19-00356-CR
NO. 03-19-00357-CR**

Wesley Eugene Perkins, Appellant

v.

The State of Texas, Appellee

**FROM COUNTY COURT AT LAW NO. 2 OF BELL COUNTY
NOS. 3C17-01209 & 2C17-2820,
THE HONORABLE JOHN MICHAEL MISCHTIAN, JUDGE PRESIDING**

MEMORANDUM OPINION

Wesley Eugene Perkins, acting pro se, filed his notice of appeal in the above causes from his conviction in the underlying cause. The record reflects that the State dismissed trial court cause number 3C17-01209 to refile it as trial court cause number 2C17-2820, which included allegations of Perkins's prior convictions. Although Perkins's notice of appeal references two trial court cause numbers, there is only one judgment of conviction in the clerk's records for these appeals.

Accordingly, we consolidate these appeals. The record and all filings from cause number 03-19-00357-CR are consolidated into cause number 03-19-00356-CR. The consolidated appeal will proceed under cause number 03-19-00356-CR, and cause number 03-19-00357-CR is dismissed. *See State v. Padon*, Nos. 03-16-00530-CR, 03-16-00531-CR, 03-16-

00532-CR, 2016 Tex. App. LEXIS 9686, at *1 (Tex. App.—Austin Aug. 31, 2016, no pet.) (mem. op., not designated for publication) (following similar consolidation and dismissal procedure). Briefing will proceed in accordance with the Texas Rules of Appellate Procedure.

Jeff Rose, Chief Justice

Before Chief Justice Rose, Justices Triana and Smith

03-19-00356-CR Consolidated

03-19-00357-CR Dismissed

Filed: August 27, 2019

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