



NUMBER 13-11-00131-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

JON CHRISTIAN SZMAGALSKI,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 377th District Court
of Victoria County, Texas.**

MEMORANDUM OPINION

**Before Chief Justice Valdez and Justices Rodriguez and Garza
Memorandum Opinion Per Curiam**

Appellant, Jon Christian Szmagalski, by and through his attorney, has filed a motion to dismiss his appeal because he no longer desires to prosecute it. See TEX. R. APP. P. 42.2(a). Without passing on the merits of the case, we grant the motion to dismiss pursuant to Texas Rule of Appellate Procedure 42.2(a) and dismiss the appeal.

Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith. Any pending motions are dismissed as moot.

PER CURIAM

Do not publish. See TEX. R. APP. P. 47.2(b).

Delivered and filed the 25th
day of August, 2011.