



NUMBER 13-16-00018-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

ESHELLE SAENZ,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On appeal from the 94th District Court
of Nueces County, Texas.

MEMORANDUM OPINION

Before Chief Justice Valdez and Justices Rodriguez and Benavides
Memorandum Opinion Per Curiam

Appellant, Eshelle Saenz, was convicted of possession of a controlled substance. On January 7, 2016, appellant filed a pro se notice of appeal. Appellant's counsel failed to request a reporter's record and the reporter was advised that the appellant no longer wished to pursue the appeal.

On May 27, 2016, this Court abated the appeal and ordered the trial court to determine whether appellant desired to prosecute this appeal. Based on the trial court hearing, the trial court judge found that appellant no longer wishes to pursue the appeal and has abandoned her appeal. The appeal is hereby REINSTATED.

Although no written motion has been filed in compliance with Rule 42.2(a) of the Texas Rules of Appellate Procedure, based upon the findings of the trial court that appellant does not wish to pursue the appeal and has abandoned it, we conclude that good cause exists to suspend the operation of Rule 42.2(a) in this case. See TEX. R. APP. P. 2. Accordingly, we DISMISS the appeal.

PER CURIAM

Do not publish.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

Delivered and filed the
27th day of October, 2016.