



**NUMBER 13-17-00023-CR**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**JOHN GIST STOFER,**

**Appellant,**

**v.**

**THE STATE OF TEXAS,**

**Appellee.**

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**On Appeal from the 24th District Court  
of Victoria County, Texas.**

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## **MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Longoria and Hinojosa  
Memorandum Opinion by Justice Longoria**

Counsel for appellant filed an amended motion to dismiss his appeal. In a signed affidavit attached to the motion, appellant states that he has read the motion to dismiss appeal and all facts stated therein are true and correct. We find the motion and affidavit together meet the requirement of Texas Rule of Appellate Procedure 42.2(a) that appellant and his attorney must sign a written motion to dismiss the appeal. 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.

NORA L. LONGORIA  
Justice

Do not publish.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

Delivered and filed the  
29th day of June, 2017.