



NUMBER 13-17-00315-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

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RANDY HERRERA,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

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On appeal from the 347th District Court  
of Nueces County, Texas.

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## MEMORANDUM OPINION

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

This appeal was abated by this Court on October 5, 2017 because appellant's brief had not been filed. This cause is now before the Court on appellant's notice to withdraw his notice of appeal. See TEX. R. APP. P. 42.2(a). Accordingly, this case is hereby REINSTATED.

Without passing on the merits of the case, we grant the motion to withdraw the appeal and pursuant to Texas Rule of Appellate Procedure 42.2(a), dismiss the appeal.

Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

**/s/ Rogelio Valdez**  
ROGELIO VALDEZ  
Chief Justice

Do not publish.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

Delivered and filed this  
26th day of October, 2017.