



NUMBER 13-18-00664-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

JOSE LUEVANOS,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

On appeal from the 214th District Court
of Nueces County, Texas.

MEMORANDUM OPINION

**Before Justices Benavides, Hinojosa, and Perkes
Memorandum Opinion by Justice Perkes**

Appellant, Jose Luevanos, was convicted of violation of bond/protective order. On November 9, 2018, appellant filed a notice of appeal by and through his attorney. Appellant failed to file a brief and on March 13, 2019, this Court abated the appeal and ordered the trial court to determine whether appellant desired to prosecute this appeal.

The trial court held a hearing on April 3, 2019. Counsel for appellant and counsel for appellee appeared. The trial court found that appellant no longer desires to prosecute the appeal and recommended that the appeal be dismissed. The trial court proceeded to sentence appellant to a suspended sentence and placed appellant on community supervision for a term of five years with conditions. We hereby REINSTATE the case.

Although no written motion has been filed in compliance with Rule 42.2(a) of the Texas Rules of Appellate Procedure, based upon the trial court's findings that appellant does not want to prosecute his appeal, 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.

GREGORY T. PERKES
Justice

Do not publish.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

Delivered and filed the
27th day of June, 2019.