



NUMBER 13-20-00083-CR

COURT OF APPEALS

THIRTEENTH DISTRICT OF TEXAS

CORPUS CHRISTI - EDINBURG

DALE GENE MCGUYER,

Appellant,

v.

THE STATE OF TEXAS,

Appellee.

**On appeal from the 220th District Court
of Bosque County, Texas.**

MEMORANDUM OPINION

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

On January 24, 2020, appellant filed a notice of appeal by and through his attorney. This appeal was transferred to this Court from the Tenth Court of Appeals by order of the Texas Supreme Court. See TEX. GOV'T CODE ANN. § 22.220(a). Counsel for appellant subsequently filed a motion to withdraw as counsel and the trial court granted the motion. On March 2, 2020, this Court abated the appeal and ordered the trial court to determine whether appellant desired to prosecute this appeal and whether appellant was entitled to

a court-appointed attorney.

This Court received and reviewed the trial court's supplemental clerk's and reporter's records which reflect the appellant does not wish to proceed with the appeal after being advised he may be entitled to court-appointed counsel.

Accordingly, this case 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 evidence at the hearing clearly indicating appellant does not want to continue 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Do not publish.
TEX. R. APP. P. 47.2(b).

Delivered and filed the
30th day of April, 2020.