

NO. 12-11-00191-CR

IN THE COURT OF APPEALS

TWELFTH COURT OF APPEALS DISTRICT

TYLER, TEXAS

*EDIE AIRHEART,
APPELLANT*

§

APPEAL FROM THE

V.

§

COUNTY COURT AT LAW

*THE STATE OF TEXAS,
APPELLEE*

§

SMITH COUNTY, TEXAS

***MEMORANDUM OPINION
PER CURIAM***

After a guilty plea, Appellant was convicted of misdemeanor driving while intoxicated. She filed her notice of appeal on May 16, 2011. We remanded the cause because Appellant failed, after notice, to file her docketing statement in accordance with Texas Rule of Appellate Procedure 32.2. The trial court was directed to conduct a hearing to determine why Appellant failed to file the docketing statement and whether Appellant has abandoned the appeal. The trial court found that Appellant was present in open court on August 11, 2011, and represented to the court that she does not desire to appeal this case. Therefore, Appellant has voluntarily abandoned her appeal. No opinion has issued in this case. Accordingly, the appeal is *dismissed*. See TEX. R. APP. P. 2, 42.2(a).

Opinion deliver August 24, 2011.

Panel consisted of Worthen, C.J., Griffith, J., and Hoyle, J.

(DO NOT PUBLISH)