

**Affirmed and Opinion filed March 8, 2001.**

**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-00-01315-CR**

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**ROBERT DELGADO, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 176th District Court  
Harris County, Texas  
Trial Court Cause No. 842,642**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of aggravated assault and sentenced to two years in prison on September 5, 2000.

On December 14, 2000, this court ordered a hearing to determine why appellant had not filed a brief in this appeal. On January 31, 2001, the trial court conducted the hearing. The trial court's findings were filed with this court on February 13, 2001, and a record of the hearing was filed on March 1, 2001.

At the hearing, appellant testified that despite his understanding of his right to appeal, he wished to withdraw his appeal. Accordingly, the trial court found appellant no longer desires to prosecute his appeal.

On the basis of those findings, this court has considered the appeal without briefs. *See* TEX. R. APP. P. 38.8(b). We find no fundamental error.

Accordingly, the judgment of the trial court is affirmed.

PER CURIAM

Judgment rendered and Opinion filed March 8, 2001.

Panel consists of Senior Chief Justice Murphy, Justices Edelman and Frost.<sup>1</sup>

Do not publish - TEX. R. APP. P. 47.3(b).

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<sup>1</sup> Senior Chief Justice Paul C. Murphy sitting by assignment.