

Affirmed and Opinion filed March 15, 2001.

In The
Fourteenth Court of Appeals

NO. 14-00-01228-CR

JEROME BENARD McKENZIE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 248th District Court
Harris County, Texas
Trial Court Cause No. 849,278**

MEMORANDUM OPINION

After a guilty plea, appellant was convicted of the offense of possession, with intent to deliver, of cocaine in an amount greater than four grams and less than 200 grams, and sentenced to eight years in prison on August 8, 2000.

On February 22, 2001, this court ordered a hearing to determine why appellant had not filed a brief in this appeal. On February 28, 2001, the trial court conducted the hearing. The record of the hearing was filed in this court on March 6, 2001.

At the hearing, appellant testified that he no longer wished to continue his appeal. Accordingly, the trial court found that appellant wished to withdraw his appeal.

On the basis of that finding, 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 15, 2001.

Panel consists of Senior Chief Justice Murphy, Justices Edelman and Frost.¹

Do not publish - TEX.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

¹ Senior Chief Justice Paul C. Murphy sitting by assignment.