

Dismissed and Opinion filed May 24, 2001.



In The

Fourteenth Court of Appeals

NO. 14-99-00884-CR

JODY V. SHIPE, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 337th District Court
Harris County, Texas
Trial Court Cause No.781,301**

MEMORANDUM OPINION

On November 18, 1999, this court ordered a hearing in the trial court to determine why no brief had been filed. On January 24, 2000, the trial court held a hearing, at which both appellant and appellant's counsel were present. Appellant stated on the record that he understood the consequences of withdrawing his appeal and that he wished to withdraw his appeal. Although appellant has not filed a written request to withdraw the notice of appeal, we find appellant's statement on the record sufficient to constitute a request to withdraw the notice of appeal. *See* TEX. R. APP. P. 2, 42.2. Because this Court has not delivered an opinion, we grant appellant's request.

Accordingly, we order the appeal dismissed. We direct the Clerk of the Court to issue the mandate of the Court immediately.

PER CURIAM

Judgment rendered and Opinion filed May 24, 2001.

Panel consists of Justices Yates, Fowler, and Wittig.

Do not publish - TEX.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