

Affirmed and Opinion filed June 22, 2000.



In The

Fourteenth Court of Appeals

NO. 14-98-00186-CR

GARY TODD ARMSTRONG, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 174th District Court
Harris County, Texas
Trial Court Cause No. 743,292**

OPINION

Appellant was convicted of the offense of possession of a controlled substance, and sentenced to two years in a State Jail Facility on January 7, 1998.

On May 18, 2000, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On June 9, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on June 16, 2000.

The trial court found appellant no longer desires to prosecute 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 June 22, 2000.

Panel consists of Justices Amidei, Anderson, and Frost.

Do not publish - TEX.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