

**Affirmed and Opinion filed August 10, 2000.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-00-00190-CR**  
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**LEONARDO MANUEL LOPEZ, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 183rd District Court  
Harris County, Texas  
Trial Court Cause No. 639,695**

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**OPINION**

After his guilty plea to the charge of murder, the court granted appellant's application for deferred adjudication and placed him on probation for ten years. The State subsequently moved to revoke probation and to enter an adjudication of guilt. The court adjudicated appellant guilty and sentenced him to thirty-five years' confinement on December 17, 1999. Appellant appeals from the adjudication of guilt.

On May 25, 2000, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On June 20, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on June 28, 2000.

At the hearing appellant and his attorney testified that they wished to withdraw the appeal and proceed by application for writ of habeas corpus. Counsel stated he would file a motion to withdraw the appeal with this Court.

Despite repeated requests by this Court, appellant's counsel has not filed a motion to withdraw the appeal. On the basis of the trial court's findings, however, 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 August 10, 2000.

Panel consists of Chief Justice Murphy, Justices Hudson and Wittig.

Do not publish - TEX.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