

Affirmed and Opinion filed August 10, 2000.



In The

Fourteenth Court of Appeals

NO. 14-99-00943-CR

SHONDA LIZETTE DUNN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 263rd District Court
Harris County, Texas
Trial Court Cause No. 762,282**

OPINION

After a guilty plea, appellant was convicted of the offense of murder, and sentenced to fifteen years in prison on July 2, 1999.

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 13, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on June 14, 2000.

At the hearing, appellant and her attorney testified that they no longer wanted to prosecute the appeal and intended to proceed with an application for writ of habeas corpus. Appellant's counsel stated he would file a motion to withdraw the appeal within ten days.

Despite repeated requests by this Court, appellant's counsel has not filed a motion to withdraw the notice of 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.

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