

Affirmed and Opinion filed November 21, 2001.



In The
Fourteenth Court of Appeals

**NOS. 14-99-01385-CR;
14-99-01386-CR**

NAPOLEON LAJUAN RANDALL, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause Nos. 808,910 & 808,911**

MEMORANDUM OPINION

In trial court cause number 808,910, appellant pled guilty to the offense of possession with intent to deliver a controlled substance and was sentenced on October 22, 1999, to five years' incarceration in the Texas Department of Criminal Justice, Institutional Division (TDCJ-ID). In trial court cause number 808,911, appellant pled guilty to the offense of possession of a firearm and was sentenced on October 22, 1999, to five years' incarceration in TDCJ-ID.

On October 4, 2001, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On October 29, 2001, the trial court conducted the hearing. The record of the hearing was filed in this court on November 8, 2001.

Although appellant's counsel did not appear at the hearing, the trial court found that counsel had advised the court in January 2001, that appellant's counsel intended to dismiss the appeal with the agreement of appellant.

On the basis of those findings, 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 November 21, 2001.

Panel consists of Justices Anderson, Hudson, and Frost.

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