

**Affirmed and Opinion filed March 29, 2001.**



**In The**

**Fourteenth Court of Appeals**

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**NO. 14-00-00879-CR**  
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**JOSE GAITAN LOPEZ, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 185th District Court  
Harris County, Texas  
Trial Court Cause No. 844,152**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of assault, and sentenced to three years confinement in the Texas Department of Criminal Justice--Institutional Division on May 25, 2000.

On February 22, 2001, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On March 2, 2001, the trial court conducted the hearing. The record of the hearing was filed in this court on March 14, 2001.

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 March 29, 2001.

Panel consists of Justices Anderson, Hudson, and Seymore.

Do not publish - TEX.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