COURT OF APPEALS FOR THE
FIRST DISTRICT OF TEXAS AT HOUSTON

ORDER

Appellate case name: In re Frank

Appellate case number: 01-20-00457-CR

Trial court case number: 20-DCR-091881

Trial court: 400th District Court of Fort Bend County, Texas

Applicant, Justin Luigi Frank, filed a Petition for Writ of Habeas Corpus, asserting he was being held with no bond by the sheriff of Fort Bend County, Texas in the Fort Bend County Jail. On June 19, 2020, applicant filed a "Motion to Dismiss" his appeal, stating that he had been released from the Fort Bend County Jail and, therefore, "this appeal is moot."

While the motion to dismiss is signed by applicant's counsel of record, applicant has not signed the motion. *See* TEX. R. APP. P. 42.2(a) (providing "appellant and his or her attorney must sign" voluntary motion to dismiss in criminal case). Accordingly, applicant's motion to dismiss is **denied.**

The Court will consider any future motion filed in compliance with Texas Rule of Appellate Procedure 42.2(a).

It is so ORDERED.

Judge's signature: /s/ Julie Countiss
Acting individually

Date: July 14, 2020