Abated and Opinion filed October 14, 1999.



## In The

Fourteenth Court of Appeals

\_\_\_\_\_

NO. 14-97-00681-CR

**CURTIS A. JOHNSON, Appellant** 

V.

## 

On Appeal from the 248th District Court Harris County, Texas

Trial Court Cause No. 747,613

## 

On October 7, 1999, this court was formally notified of appellant's death and furnished a copy of appellant's death certificate. The death of an appellant during the pendency of an appeal deprives this court of jurisdiction. *See Ryan v. State*, 891 S.W.2d 275 (Tex. Crim. App. 1994). When an appellant dies after an appeal is perfected but before this court issues the mandate, the appeal is to be permanently abated. *See* TEX. R. APP. P. 7.1(a)(2).

Accordingly, we order the appeal permanently abated.

PER CURIAM

Opinion filed October 14, 1999.

Panel consists of Justices Justices Amidei, Edelman and Wittig.

Do not publish - TEX.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