

**Abated and Opinion filed March 1, 2001.**

**In The**  
**Fourteenth Court of Appeals**

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**NO. 14-98-01356-CR**  
**NO. 14-98-01357-CR**  
**NO. 14-98-01358-CR**

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**RICARDO MARTINEZ, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 179th District Court**  
**Harris County, Texas**  
**Trial Court Cause Nos. 658,228; 677,503 & 770,677**

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**MEMORANDUM OPINION**

On February 26, 2001, 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 March 1, 2001.

Panel consists of Justices Yates, Wittig, and Anderson.

Do not publish – TEX.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