

Affirmed and Opinion filed June 15, 2000.



In The

Fourteenth Court of Appeals

NO. 14-98-01078 -CR

RAY ANTHONY DIXON, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 351st District Court
Harris County, Texas
Trial Court Cause No. 770,455**

OPINION

After a guilty plea, appellant was convicted of the offense of possession of a controlled substance, and sentenced to six months in a state jail facility on August 26, 1998.

On April 27, 2000, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On May 16, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on June 8, 2000. On May 22, 2000, appellant's retained counsel filed a motion to withdraw as counsel contending that after a thorough review, he determined that the appeal lacks merit.

At the hearing, appellant testified that he no longer wanted to prosecute his appeal, and the trial court so found.

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 June 15, 2000.

Panel consists of Chief Justice Murphy, Justices Wittig and Frost.

Do not publish - TEX.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