

**Affirmed and Opinion filed January 24, 2002.**



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

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**NO. 14-01-00424-CR**

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**BENSON EARL BILAH, Appellant**

**V.**

**THE STATE OF TEXAS, Appellee**

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**On Appeal from the 183rd District Court  
Harris County, Texas  
Trial Court Cause No. 853,470**

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**MEMORANDUM OPINION**

After a guilty plea, appellant was convicted of the offense of possession of more than four grams and less than 200 grams of a controlled substance, and sentenced to confinement for three years in the Institutional Division of the Texas Department of Criminal Justice on February 19, 2001. Appellant filed a written notice of appeal, specifying that he wished to appeal the denial of his motion to suppress.

On December 6, 2001, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On December 18, 2001, the trial court conducted

the hearing, and a record of the hearing was filed in this court on December 21, 2001. A supplement clerk's record containing the court's findings was also filed on January 11, 2002.

The trial court found appellant no longer desires to prosecute his appeal.

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 January 24, 2002.

Panel consists of Chief Justice Brister, Justices Fowler and Seymore.

Do not publish - TEX.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