

Affirmed and Opinion filed June 29, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-00135-CR

JUDY R. KENNARD, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 174th District Court
Harris County, Texas
Trial Court Cause No. 786,466**

O P I N I O N

Appellant was convicted of the offense of theft, and sentenced to ten years' probation. The State filed a motion to revoke probation, which was overruled; however, the trial court modified the terms of appellant's probation and ordered that she attend the Substance Abuse Felony Punishment Facility Program.

On May 25, 2000, this court ordered a hearing to determine why appellant's counsel had not filed a brief in this appeal. On June 19, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on June 23, 2000.

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

On the basis of that finding, this court has considered the appeal without briefs. *See* TEX. R. APP. P. 38.8(b). The case is before us without a reporter's record. We find no fundamental error.

Accordingly, the judgment of the trial court is affirmed.

PER CURIAM

Judgment rendered and Opinion filed June 29, 2000.

Panel consists of Justices Amidei, Anderson, and Frost.

Do not publish - TEX.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