

Affirmed and Opinion filed November 16, 2000.



In The

Fourteenth Court of Appeals

NO. 14-00-00910-CR

JAMES ANTHONY GRIFFIN, Appellant

V.

THE STATE OF TEXAS, Appellee

**On Appeal from the 337th District Court
Harris County, Texas
Trial Court Cause No. 821,988**

OPINION

This is an appeal from a judgment adjudicating guilt for the offense of aggravated sexual assault of a child and sentencing appellant to fifteen years in prison on June 2, 2000. Appellant is not represented by counsel and filed a pro se notice of appeal.

On August 31, 2000, time to file appellant's brief expired without a brief and no motion for extension of time was filed. *See* TEX. R. APP. P. 38.6(a). Appellant and the trial court were notified on September 5, 2000, and on September 18, 2000, that no brief had been received. No satisfactory response was received.

On October 19, 2000, this court ordered a hearing to determine why appellant had not filed a brief in this appeal and whether appellant was entitled to appointed counsel on appeal. On November 1, 2000, the trial court conducted the hearing. The record of the hearing was filed in this court on November 6, 2000.

The trial court found appellant is not indigent. The trial court further found that 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 November 16, 2000.

Panel consists of Chief Justice Murphy, Justices Amidei and Hudson.

Do not publish - TEX.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