Motion Granted; Abatement Order filed August 28, 2014

In The

Fourteenth Court of Appeals

NO. 14-14-00372-CR

BRYAN TOBIN SHACKERFORD, Appellant

V.

THE STATE OF TEXAS, Appellee

On Appeal from the 262nd District Court
Harris County, Texas
Trial Court Cause No. 1372974

ABATEMENT ORDER

On August 22, 2014, appellant's counsel filed a motion to abate the appeal due to the death of appellant. Attached to the motion is a copy of the death certificate, showing that appellant died on June 8, 2014.

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

Panel consists of Justices McCally, Brown and Wise.