

COURT OF APPEALS FOR THE SEVENTH DISTRICT OF TEXAS AT  
AMARILLO

Matthew Janssen v. the State of Texas

No. 07-25-00336-CR · No. No. 07-25-00336-CR · Decided February 6, 2026

SUMMARY

The Seventh Court of Appeals of Texas dismissed Matthew Janssen’s pro se appeal from the denial of his application for writ of habeas corpus and motion for reasonable bail. The court suspended the signature requirement for a dismissal motion under Texas Rule of Appellate Procedure 2 because Janssen no longer wished to pursue the appeal.

CASE DETAILS

|                       |                                                                                                                                                                                                                 |
|-----------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| COURT                 | Court of Appeals for the Seventh District of Texas at Amarillo                                                                                                                                                  |
| WRITING FOR THE COURT | Per Curiam; Parker, C.J.; Doss, J.; Yarbrough, J.                                                                                                                                                               |
| JURISDICTION          | Court of Appeals for the Seventh District of Texas at Amarillo                                                                                                                                                  |
| DECIDED               | February 6, 2026                                                                                                                                                                                                |
| DOCKET                | No. 07-25-00336-CR                                                                                                                                                                                              |
| DISPOSITION           | dismissed                                                                                                                                                                                                       |
| PROCEDURAL POSTURE    | Appellant appealed the denial of his application for writ of habeas corpus and motion for reasonable bail, then informed the trial court during a remand hearing that he no longer wished to pursue the appeal. |
| PRECEDENTIAL VALUE    | nonprecedential                                                                                                                                                                                                 |
| PARTIES               | Matthew Janssen v. The State of Texas                                                                                                                                                                           |

TOPICS

- appellate procedure
- habeas corpus
- bail
- post-conviction relief

PRACTICE AREAS

- criminal procedure
- appellate procedure
- habeas corpus
- bail

QUESTIONS PRESENTED

1. Whether the appeal should be dismissed after the appellant informed the court that he no longer wished to prosecute it.

2. Whether the court could suspend the signature requirement for a motion to dismiss under Texas Rule of Appellate Procedure 42.2(a) pursuant to Rule 2.

#### **HOLDINGS**

1. An appeal may be dismissed when the appellant informs the court that he no longer desires to prosecute it.
2. The court may invoke Texas Rule of Appellate Procedure 2 to suspend Rule 42.2(a)'s requirement that an appellant sign a motion to dismiss when the appellant has otherwise clearly expressed the desire to abandon the appeal.

#### **FACTUAL BACKGROUND**

Janssen sought habeas corpus relief and reasonable bail in the trial court. While the appeal was pending, he was released from jail on bond and told the trial court that he no longer desired to prosecute the appeal.

#### **PROCEDURAL HISTORY**

The 364th District Court of Lubbock County denied Janssen's application for writ of habeas corpus and motion for reasonable bail. The court of appeals previously remanded the case to determine, among other matters, whether Janssen still desired to prosecute the appeal. After Janssen stated that he no longer wished to proceed because he had been released on bond, the appellate court reinstated the appeal and dismissed it.

#### **DISPOSITION**

dismissed

#### **CASES CITED**

- Wade v. State, Nos. 07-20-00030-CR, 07-20-00032-CR, 2020 Tex. App. LEXIS 7619, at \*2 (Tex. App.—Amarillo Sept. 18, 2020, no pet.) (per curiam) (mem. op., not designated for publication)

#### **OPINION**

Matthew Janssen v. the State of Texas

PER CURIAM.

In The Court of Appeals Seventh District of Texas at Amarillo No. 07-25-00336-CR

MATTHEW JANSSEN, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

On Appeal from the 364th District Court Lubbock County, Texas Trial Court No. 2016-410,627,  
Honorable William R. Eichman II, Presiding February 6, 2026

MEMORANDUM OPINION

Before PARKER, C.J., and DOSS and YARBROUGH, JJ. Appellant, Matthew Janssen, proceeding pro se, appeals from the trial court's order denying his "Application for Writ of Habeas

Corpus and Motion for Reasonable Bail.” We previously remanded the cause to the trial court to determine, among other things, whether Appellant still desired to prosecute the appeal. The trial court conducted a hearing on January 22, 2026. At the hearing, Appellant informed the trial court that he no longer desired to proceed with the appeal, having since been released from jail on bond. A supplemental record of the hearing has been filed. We reinstate the appeal on our docket. Because Appellant no longer desires to prosecute the appeal, we invoke Appellate Rule 2 to suspend operation of Appellate Rule 42.2(a), which requires that Appellant sign a motion to dismiss the appeal. See TEX. R. APP. P. 2, 42.2(a); *Wade v. State*, Nos. 07-20-00030-CR, 07-20-00032-CR, 2020 Tex. App. LEXIS 7619, at \*2 (Tex. App.—Amarillo Sep. 18, 2020, no pet.) (per curiam) (mem. op., not designated for publication) (doing same). Accordingly, we dismiss the appeal. No motion for rehearing will be entertained and our mandate will issue forthwith. Per Curiam Do not publish. 2