

COURT OF APPEALS
EIGHTH DISTRICT OF TEXAS
EL PASO, TEXAS

\$3,755.00 US CURRENCY (ZACHARY VAN PHIFER, JR.),	§	No. 08-10-00008-CV
	§	Appeal from the
Appellant,	§	9th Judicial District Court
v.	§	of Montgomery County, Texas
THE STATE OF TEXAS,	§	(TC# 09-03-03077-CV)
Appellee.	§	

MEMORANDUM OPINION

Pending before the Court is Appellant's motion to dismiss this appeal pursuant to TEX.R.APP.P. 42.1(a)(1). Appellant has complied with the requirements of TEX.R.APP.P. 42.1(a)(1), and having considered the motion, we conclude it should be granted. Therefore, we GRANT Appellant's motion and dismiss the appeal. Costs will be taxed against Appellant. *See* TEX.R.APP.P. 42.1(d).

February 25, 2010

DAVID WELLINGTON CHEW, Chief Justice

Before Chew, C.J., McClure, and Rivera, JJ.