

**In The**  
***Court of Appeals***  
***Ninth District of Texas at Beaumont***

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**NO. 09-10-00154-CV**

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**DUSTIN E. WILKEY, Appellant**

**V.**

**THERESA M. WILKEY, Appellee**

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**On Appeal from the 75th District Court**  
**Liberty County, Texas**  
**Trial Cause No. CV0800028**

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**MEMORANDUM OPINION**

The appellant, Dustin E. Wilkey, filed a motion to dismiss this appeal. The motion is voluntarily made by the appellant prior to any decision of this Court. *See* TEX. R. APP. P. 42.1(a)(1). No other party filed notice of appeal. We grant the motion and dismiss the appeal.

APPEAL DISMISSED.

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**HOLLIS HORTON**  
Justice

Opinion Delivered May 13, 2010  
Before McKeithen, C.J., Gaultney and Horton, JJ.