

NO. 07-03-0180-CV  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL E  
OCTOBER 23, 2003

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FIRST BANK & TRUST CO.,

Appellant

v.

ARLEN HARRIS AND ARLEN HARRIS, INC.,

Appellee

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FROM THE 72nd DISTRICT COURT OF LUBBOCK COUNTY;  
NO. 2001-512,426; HON. J. BLAIR CHERRY, JR., PRESIDING

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Before QUINN and REAVIS, JJ., and BOYD, S.J.<sup>1</sup>

ORDER OF DISMISSAL

Appellant First Bank & Trust Co., by and through their attorney, has filed a motion to dismiss this appeal because they longer desire to prosecute it. Without passing on the merits of the case, we grant the motion to dismiss pursuant to Texas Rule of Appellate Procedure 42.1(a)(2) and dismiss the appeal. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn  
Justice

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<sup>1</sup>John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. Tex. Gov't Code Ann. §75.002(a)(1) (Vernon Supp. 2003).