

NO. 07-04-0530-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL B  
MARCH 2, 2005

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STEPHEN ALLEN BEARD, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 47TH DISTRICT COURT OF POTTER COUNTY;

NO. 49,044-A; HONORABLE HAL MINER, JUDGE

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Before JOHNSON, C.J., and QUINN and CAMPBELL, JJ.

### **MEMORANDUM OPINION**

Pending before this Court is appellant's motion to dismiss his appeal. Appellant and his attorney both have signed the document stating that appellant withdraws his appeal. Tex. R. App. P. 42.2(a). No decision of this Court having been delivered to date, we grant the motion. Accordingly, the appeal is dismissed. No motion for rehearing will be entertained and our mandate will issue forthwith.

James T. Campbell  
Justice

Do not publish.