

NO. 07-09-0126-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL A  
MAY 12, 2009

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FRANK ACKERMAN, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

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FROM THE 46TH DISTRICT COURT OF HARDEMAN COUNTY;

NO. 4074; HONORABLE DAN MIKE BIRD, JUDGE

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Before CAMPBELL and HANCOCK and PIRTLE, JJ.

**ON MOTION TO DISMISS**

Appellant, Frank Ackerman, filed Notice of Appeal to appeal a judgment of conviction and sentence entered against him in cause number 4074 in the 46th District Court of Hardeman County, Texas. However, appellant has now filed a motion to dismiss his appeal.

Because the motion meets the requirements of Texas Rule of Appellate Procedure 42.2(a) and this Court has not delivered its decision prior to receiving it, the motion is

hereby granted and the appeal is dismissed. Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained and our mandate will issue.

Makey K. Hancock  
Justice

Do not publish.