



**In The
Court of Appeals
Sixth Appellate District of Texas at Texarkana**

No. 06-09-00180-CR

THE STATE OF TEXAS, Appellant

V.

JUSTIN AUGUSTUS TATUM, Appellee

On Appeal from the 6th Judicial District Court
Lamar County, Texas
Trial Court No. 22756

Before Morriss, C.J., Carter and Moseley, JJ.
Memorandum Opinion by Justice Moseley

MEMORANDUM OPINION

The State of Texas, appellant, has filed with this Court a motion to dismiss its appeal. *See* TEX. R. APP. P. 42.2(a); *State v. Miles*, 994 S.W.2d 410 (Tex. App.—Waco 1999, no pet.). As authorized by Rule 42.2, we grant the motion. *See* TEX. R. APP. P. 42.2.

Accordingly, we dismiss the appeal.

Bailey C. Moseley
Justice

Date Submitted: October 27, 2009
Date Decided: October 28, 2009

Do Not Publish