



IN THE  
TENTH COURT OF APPEALS

\_\_\_\_\_  
No. 10-15-00162-CR

**KELLY JOE GOAD,**

**Appellant**

**v.**

**THE STATE OF TEXAS,**

**Appellee**

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**From the County Court at Law No. 1  
McLennan County, Texas  
Trial Court No. 2014-2693CR1**

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**MEMORANDUM OPINION**

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Appellant Kelly Joe Goad has filed a “Motion to Dismiss Appeal” in which he states that he “respectfully moves this Court to withdraw appellant’s notice of appeal and dismiss this appeal.” We have no authority under Rule of Appellate Procedure 42.2 to “withdraw appellant’s notice of appeal”; therefore, we construe Goad’s motion as a motion to voluntarily dismiss his appeal. *See* TEX. R. APP. P. 42.2(a). We have not issued a decision in this appeal, and Goad personally signed the motion. The motion is granted, and the appeal is dismissed.

The court reporter's request for an extension of time to file the reporter's record is dismissed as moot.

REX D. DAVIS  
Justice

Before Chief Justice Gray,  
Justice Davis, and  
Justice Scoggins  
Appeal dismissed  
Opinion delivered and filed August 13, 2015  
Do not publish  
[CR25]

