

TEXAS COURT OF APPEALS, THIRD DISTRICT, AT AUSTIN

NO. 03-10-00858-CR

The State of Texas, Appellant

v.

Devin Michelle Smith, Appellee

**FROM COUNTY COURT AT LAW NO. 2 OF HAYS COUNTY
NO. 094716, HONORABLE ANNA M. BOLING, JUDGE PRESIDING**

MEMORANDUM OPINION

Appellant the State of Texas, acting through the Hays County Assistant Criminal District Attorney, no longer wishes to pursue its appeal and has filed a motion to dismiss. The motion to dismiss this appeal is granted and the appeal is dismissed. *See* Tex. R. App. P. 42.2(a).

Jeff Rose, Justice

Before Justices Puryear, Pemberton and Rose

Dismissed on Appellant's Motion

Filed: April 29, 2011

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