



**NUMBER 13-16-00085-CV**

**COURT OF APPEALS**

**THIRTEENTH DISTRICT OF TEXAS**

**CORPUS CHRISTI - EDINBURG**

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**MARLIN LOVETT-TATE,**

**Appellant,**

**v.**

**GEORGINA LOVETT-TATE,**

**Appellee.**

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**On appeal from the 444th District Court  
of Cameron County, Texas.**

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**MEMORANDUM OPINION**

**Before Chief Justice Valdez and Justices Benavides and Hinojosa  
Memorandum Opinion Per Curiam**

Appellant, Marlin Lovett-Tate, filed an appeal from a judgment entered by the 444th District Court of Cameron County, Texas, in cause number 2015-DCL-3438. Appellant has filed a motion to withdraw the appeal on grounds that counsel is in the process of agreeing upon a substitute decree to be signed by the trial court. Appellant requests that this Court withdraw his notice of appeal.

The Court, having considered the documents on file and appellant's motion to withdraw the appeal, is of the opinion that the motion should be granted. See TEX. R. APP. P. 42.1(a). Appellant's motion to withdraw is GRANTED, and the appeal is hereby DISMISSED. Accordingly, appellant's motion for an extension of one day to file a verification of his "Father's Special Verified Motion for New Trial," previously carried with the case, is DISMISSED AS MOOT.

Costs will be taxed against appellant. See TEX. R. APP. P. 42.1(d) ("Absent agreement of the parties, the court will tax costs against the appellant."). Having dismissed the appeal at appellant's request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

PER CURIAM

Delivered and filed the  
12th day of January, 2017.