

NO. 07-01-00360-CR  
IN THE COURT OF APPEALS  
FOR THE SEVENTH DISTRICT OF TEXAS  
AT AMARILLO  
PANEL C  
NOVEMBER 5, 2001

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ANDY POSEY,

Appellant

v.

THE STATE OF TEXAS,

Appellee

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FROM THE 108<sup>TH</sup> DISTRICT COURT OF POTTER COUNTY;  
NO. 44,010-E; HON. ABE LOPEZ, PRESIDING

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***ORDER ON APPELLANT'S MOTION TO DISMISS APPEAL***

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Before QUINN, REAVIS, and JOHNSON, JJ.

Andy Posey, appellant, has moved to withdraw his notice of appeal and dismiss the appeal pursuant to Rule 42.2 of the Texas Rules of Appellate Procedure. Without passing on the merits of the case, we grant the motion pursuant to Texas Rule of Appellate Procedure 42.1(a)(2) and dismiss the appeal. Having dismissed the appeal at appellant's personal request, no motion for rehearing will be entertained, and our mandate will issue forthwith.

Brian Quinn  
Justice

Do not publish.