

NO. 07-02-0043-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL E
NOVEMBER 7, 2002

MICHAEL ANTHONY MARTINEZ, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

FROM THE 108TH DISTRICT COURT OF POTTER COUNTY;

NO. 44,317-E; HONORABLE ABE LOPEZ, JUDGE

Before REAVIS and JOHNSON, JJ., and BOYD, SJ.¹

This appeal was brought by appellant Michael Anthony Martinez after he entered a plea of guilty to the offense of debit card abuse and was sentenced to serve 18 months in a state jail facility. In pursuing his appeal, appellant gave a timely notice of his intent

¹John T. Boyd, Chief Justice (Ret.), Seventh Court of Appeals, sitting by assignment. Tex. Gov't Code Ann. § 75.002(a)(1) (Vernon Supp. 2002).

to appeal.

Appellant, joined by his attorney, has now filed a motion in which he asks this court to dismiss his appeal. The State has not contested the motion.

Accordingly, because appellant has complied with the requisites of Rule 42.2 of the Texas Rules of Appellate Procedure, we grant his motion to dismiss and do hereby dismiss his appeal. Furthermore, because this is a voluntary request for dismissal, no motions for rehearing will be entertained, and our mandate will issue forthwith.

John T. Boyd
Senior Justice

Do not publish.