

NO. 07-02-0152-CR
IN THE COURT OF APPEALS
FOR THE SEVENTH DISTRICT OF TEXAS
AT AMARILLO
PANEL A
SEPTEMBER 12, 2003

JESSE LEE ESPY, APPELLANT

V.

THE STATE OF TEXAS, APPELLEE

FROM THE 320TH DISTRICT COURT OF POTTER COUNTY;
NO. 42,853-D; HONORABLE JOHN FORBIS, JUDGE

Before JOHNSON, C.J., and REAVIS and CAMPBELL, JJ.

MEMORANDUM OPINION

Appellant Jesse Lee Espy filed a Motion to Dismiss Appeal on August 26, 2003, averring that he no longer wishes to prosecute his appeal. The Motion to Dismiss is signed by appellant. Appellant's attorney concurred with the Motion to Dismiss in a letter to this court filed September 8, 2003.

Without passing on the merits of the case, appellant's motion for voluntary dismissal is granted and the appeal is hereby dismissed. Tex. R. App. P. 42.2. Having dismissed the appeal at appellant's personal request, no motion for rehearing will be entertained and our mandate will issue forthwith.

Phil Johnson
Chief Justice

Do not publish.